

CHARTER
OF THE
Town of Princess Anne

SOMERSET COUNTY, MARYLAND

*As enacted by an unnumbered resolution
Effective December 24, 1991*

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PRINCESS ANNE

ARTICLE I

Adoption; General Corporate Powers

Section 101. Charter adopted.

A. *Short title.* This Charter may be cited as the “Municipal Corporation Charter of the Town of Princess Anne.” It is hereby adopted as the corporate Charter of the Town of Princess Anne under the provision of Article 11E of the Constitution of Maryland and of the supporting statutory legislation.

B. *Word usage.* The use of the terms “town,” “city,” “municipality” or “municipal corporation” in this Charter shall be considered as synonymous and any of said terms shall apply to the Town of Princess Anne.

Section 102. Incorporation; general powers.

The inhabitants of the Town of Princess Anne included within the provisions of this Charter within the corporate limits legally established from time to time are hereby continued a body corporate by the name of the “President and Commissioners of Princess Anne” with all the privileges of a body corporate, by that name to sue and be sued, to plead and be impleaded in any court of law or equity, to have and use a common seal and to have perpetual succession, unless the Charter and the corporate existence are legally abrogated. (See note (6))

ARTICLE II

Corporate Limits

Section 201. Boundary descriptions.

The taxable and corporate limits of the Town of Princess Anne shall include all the land territory described as follows:

A. Beginning at a point 220 feet distant from the westerly side of Green Street or Beckford Avenue at the middle of the ditch between the lands formerly belonging to Fillmore Lankford and the late Henry L.D. Standfordland; thence running by and with the middle of said ditch south seventy-five degrees forty minutes west to the point where this line intersects the tenth line mentioned in the return made by Leven Handy Littleton Long, Sr., and Nathaniel Dixon, Jr., by virtue of a commission to them directed from the County Commissioners of Somerset County, which said Commission and return are recorded in Liber L.W. No. 7, folios 506, 507 and 508, one (1) of the record books of said county; thence by and with said tenth, eleventh, twelfth and thirteenth lines mentioned in said return; thence by and with the fourteenth line mentioned in said return to the Manokin River; thence by and with the northward and western sides of said stream to the west side of Bombay Hook bridge; thence by and with the

south side of the stream, known as the “canal,” to the east side of the New York, Philadelphia and Norfolk Railroad; thence by and with the east side of said railroad to the beginning of the third line mentioned in said return; thence by and with said third line mentioned in said return; thence by and with said third and fourth lines and fifth line until it strikes the east side of said railroad; thence by and with the east side of said railroad to the north side of the county road leading from the railroad to the David Ruche woods; thence by and with the north side of said county road to a point 220 feet west of and from the west side of said Green Street or Beckford Avenue extended; thence by and with in a parallel line with the western side of said Green Street or Beckford Avenue and all the way 220 feet at right angles from said western side of said Green Street or Beckford Avenue to the place of beginning, to be known as “Old Town.”

B. Beginning at the intersection of a ditch at the south side of the state road leading from the Town of Princess Anne to Mt. Vernon (State Route No. 362); thence running with the south side of said state road and binding thereon south eighty-eight degrees twenty-six minutes east 82.5 feet to intersect the center line of the state road leading from Princess Anne to Salisbury (U.S. Route 13); thence south eighty-eight degrees twenty-six minutes east 668.0 feet to a point; thence south one degree thirteen minutes west 716.4 feet parallel to the state road leading from Princess Anne to Salisbury to intersect the first line of the existing corporate limits at a point 576 feet from the end of the first line of said limits as described in Liber L.W. No 7, folios 506 and 507; thence with said first line and the fourteenth or closing line, both reversed as referred to in the above record, to the beginning of said fourteenth line north eighty-nine degrees to zero minutes west 668.0 feet to intersect the center lines of the state road leading from Princess Anne to Salisbury (U.S. Route 13); (See note (1)) thence north eighty-nine degrees zero minutes west 810.0 feet to an existing open ditch extending along the north property line of the present high school lands to the intersection of another ditch at a point opposite and 1.0 feet south of the end of a tile underdrain; thence by and with the center of another ditch north zero degrees fifty-six minutes east 1,731.0 feet to the place of beginning, to be known as “Somerset Heights Extended.”

C. Beginning at a point on the center line of the concrete road leading from Princess Anne to West Post Office (State Route No. 388), which bears south fifteen degrees twenty-five minutes east 21 feet from the center of an iron grate, which is at the end of the third line of the corporate limits of Princess Anne established in April 1958, (See note (1)) as obtained in the records of Somerset County, recorded in Liber L. S. No. 7, folios 506, 507 and 508, with said limits obtained to date; thence south fifteen degrees twenty-five minutes east 1,303.28 feet to an intersection of ditches, the end of the fourth line of the above record; thence north seventy-nine degrees twenty minutes east 1,640 feet to a point; thence north ten degrees forty minutes west 373.8 feet to a cement post at the east corner of the intersection of Antioch and Hampden Avenues; thence north ten degrees forty minutes west 416.2 feet to intersect the center line of the state road aforementioned (State Route No. 388) at a point which bears south ten degrees forty minutes east from a cement post placed on the north side of the fifty-foot right-of-way; thence with the apparent center line of said road, the three (3) following courses and distances; north eighty-three degrees five minutes west 1,300.0 feet; thence north eighty-six degrees thirty-six minutes west 267.0 feet; thence north eighty-nine degrees zero minutes west 255.0 feet to the place of beginning, to be known as “Antioch Avenue Extended.”

Section 202. Annexations. (See Notes (8) and (9))

A. All that tract or parcel of land situated, lying and being in East Princess Anne Election District, Somerset County, Maryland, on the east side of but not adjacent to Somerset Avenue (formerly U.S. Route 13) and being more particularly described as follows: Beginning for the same at a point which lies south $88^{\circ} 39'$ east a distance of 220.65 feet from a point which marks the intersection of the south line of Maryland Route 362, known as the "Mt. Vernon Road," and the center line of Somerset Avenue (formerly U.S. Route 13) and which said point of beginning is indicated by the letter "A" on a plat prepared by Burton B. Gordy, Registered Maryland Land Surveyor No. 7194, entitled "Annexation to Town of Princess Anne, Maryland, of land owned by Wilson E. Davis & Son, Inc.," a copy of which said plat is attached to this resolution; (See note (2)) thence from said point of beginning as follows, according to said plat and survey:

- (1) North $1^{\circ} 00'$ east 212.91 feet.
- (2) South $85^{\circ} 39'$ east 273.02 feet.
- (3) North $1^{\circ} 38'$ east 173.25 feet.
- (4) South $80^{\circ} 17'$ east 554.50 feet.
- (5) South $6^{\circ} 34' 49''$ west 931.80 feet.
- (6) South $20^{\circ} 30'$ west 475.00 feet.

(7) North $88^{\circ} 52'$ west 126.06 feet to the existing corporate limits of the Town of Princess Anne as described in Section 152 of the Code of Public Local Laws of Somerset County (1963 Edition); thence by and with the existing corporate limits of Princess Anne as so described, the two following courses and distances.

- (8) North $1^{\circ} 00'$ east 1,085.95 feet.

(9) North $88^{\circ} 39'$ west 447.35 feet to the place of beginning, containing 12.107 acres of land as laid down and described on the aforesaid plat. (Passed 10-21-72.)

B. Beginning at a point in the center line of West Post Office Road (State Route No. 388), whose Maryland State plane coordinates are north 136,897.35 feet and east 1,178,137.11 feet, said point being the northeast corner of the Antioch Avenue Addition to Princess Anne, and running; thence with the center line of the aforesaid road north $89^{\circ} 10' 28''$ east 455.38 feet to a point of curvature, whose Maryland State plane coordinates are north 136,903.91 feet and east 1,178,592.45 feet; thence with the arc of a curve to the left, whose radius is 2,346.82 feet and whose chord bearing and chord are north $85^{\circ} 50' 55''$ east and 272.31 feet, respectively, for an arc distance of 272.46 feet to the point of intersection of the center line of West Post Office Road with the center line of Hampden Avenue Extended, whose Maryland State plane coordinates are north 136,923.62 feet and east 1,178,864.04 feet; thence with the center line of said avenue and

the arc of a curve to the left, whose radius is 4,583.66 feet and whose chord bearing and chord are south $57^{\circ} 42' 15''$ west and 479.20 feet, respectively, for an arc distance of 479.42 feet to a point of tangency, whose Maryland State plane coordinates are north 136,667.59 feet and east 1,178,458.98 feet; thence continuing with said center line south $54^{\circ} 42' 28''$ west 243.44 feet to a point in the easterly line of the aforementioned annexation whose Maryland State plane coordinates are north 136,526.94 feet and east 1,178,260.27 feet; thence with said line north $18^{\circ} 23' 31''$ west 390.35 feet to the point of beginning. (Passed 9-1-75.)

C. All that parcel of land beginning at a point located on the intersection of the westerly side of Elm Street and the southerly side of Mt. Vernon Road as follows:

- (1) Thence south $1^{\circ} 10' 10''$ west, a distance of 474.29 feet to a point.
- (2) Thence north to a point $88^{\circ} 42' 00''$, a distance of 513.08 feet, to a point.
- (3) Thence north $21^{\circ} 10' 30''$ east, a distance of 301.74 feet, to a point.
- (4) Thence north $38^{\circ} 52' 00''$ east, a distance of 252.72 feet, to a point.
- (5) Thence south $88^{\circ} 27' 31''$ east, a distance of 71.83 feet, to a point.
- (6) Thence north $1^{\circ} 32' 30''$ east, a distance of 60 feet, to a point.
- (7) Thence north $88^{\circ} 27' 29''$ west, a distance of 28.35 feet, to a point.
- (8) Thence north $31^{\circ} 13' 00''$ west, a distance of 126.61 feet to a point.
- (9) Thence north $20^{\circ} 10' 30''$ east, a distance of 1,635.05 feet, to a point.
- (10) Thence south $72^{\circ} 11' 34''$ east, a distance of 572.46 feet, to a point.
- (11) Thence south $2^{\circ} 07' 31''$ west, a distance of 784.23 feet, to a point.
- (12) Thence south $1^{\circ} 01' 38''$ west, a distance of 760.91 feet, to a point.

(13) Thence north $89^{\circ} 08' 49''$ west, a distance of 817.46 feet, to the place of beginning, with the total area of annexation being 36.56 acres. (Passed 10-15-79.)

D. Beginning at a point on the northerly side of Division Street, said point being the easternmost corner of the land herein described; thence by and with said northerly side of Division Street as follows:

- (1) South $70^{\circ} 36' 32''$ west, a distance of 49.50 feet, to a point on the northerly side of Division Street, said point being the westernmost corner of the land herein described.

(2) Thence north $29^{\circ} 25' 28''$ west, a distance of 115.43 feet, to a point on the existing corporate line of the Town of Princess Anne.

(3) Thence east by and with said existing corporate line to a point placed at the intersection of said existing corporate line and the westernmost boundary line of Mt. Carmel Baptist Church.

(4) Thence south $31^{\circ} 51' 10''$ east, a distance of 116.34 feet, to the place of beginning. (Passed 12-20-79.)

E. All that parcel of land beginning for the outlines of the same as a concrete monument, a distance of 23.98 feet from the intersection of Lano Avenue and the 1947 annexation line, as follows:

(1) Thence north $71^{\circ} 36' 29''$ east, a distance of 23.98 feet, to a concrete monument at the intersection of Lano Avenue and the 1947 annexation line.

(2) Thence north $71^{\circ} 36' 29''$ east, a distance of 252.30 feet, to the existing municipal limits; thence by and with the land now or formerly of Lloyd Rhodes and Louise Rhodes (deed reference I.T.P. No. 228, page 545), the three (3) following courses and distances:

(3) South $29^{\circ} 25' 28''$ east, a distance of 115.43 feet.

(4) North $71^{\circ} 25' 34''$ east, a distance of 49.25 feet.

(5) North $31^{\circ} 51' 10''$ west, a distance of 116.34 feet.

(6) North $71^{\circ} 36' 29''$ east, a distance of 1,077.53 feet, to the center line of a ditch.

(7) Thence by and with the center line of said ditch south $42^{\circ} 33' 18''$ east, a distance of 343.86 feet, to the center line of a second ditch.

(8) Thence by and with the center line of said second ditch south $64^{\circ} 18' 16''$ west, a distance of 1,424.12 feet, to the center line of a third ditch.

(9) Thence by and with the center line of said third ditch north $32^{\circ} 42' 33''$ west, a distance of 510.64 feet, to the place of beginning, with the total area of annexation being 13.20 acres. (Passed 12-1-80.)

F. All that parcel of land beginning for the outlines of the same at a rifle barrel placed at the 1947 annexation line and the center line of Hampden Avenue as follows:

(1) Thence south $39^{\circ} 29' 49''$ east, a distance of 277.40 feet, to an iron pipe.

(2) Thence south $39^{\circ} 57' 37''$ west, a distance of 117.33 feet, by and with the center line of a ditch to a point.

(3) Thence north $18^{\circ} 23' 33''$ west, a distance of 320.35 feet, by and with said 1947 annexation line to the point of beginning. (Passed 12-1-80.)

G. All that tract of land situated in the East Princess Anne Election District of Somerset County, Maryland and more particularly described as follows: Beginning for the outlines of the same at an iron pipe located North $84^{\circ} 32' 27''$ East a distance of 10.43 feet from the easterly side of Maryland Route 598 and the northwest corner of the land of Oscar Hackman, et al (deed reference Liber 315, page 774); thence, North $6^{\circ} 40' 36''$ East by and with the easterly side of a 16-foot wide lane a distance of 208.64 feet to an iron pipe; thence, North $73^{\circ} 43' 28''$ East by and with the land now or formerly of the Protane Corporation (deed reference Liber 176, page 305) a distance of 299.00 feet to an iron pipe; thence, continuing by and with the Protane Corporation land North $6^{\circ} 44' 13''$ East a distance of 200.19 feet to a concrete monument; thence, North $73^{\circ} 46' 36''$ East by and with the center of a ditch a distance of 1311.98 feet to an iron pipe; thence, South $31^{\circ} 58' 26''$ East by and with the center of a ditch a distance of 459.42 feet to an iron pipe; thence, South $18^{\circ} 31' 37''$ East by and with the center of a ditch a distance of 211.01 feet to a concrete monument; thence, North $81^{\circ} 03' 04''$ East in part by and with the center of a ditch a distance of 1032.96 feet to an iron pipe; thence, South $23^{\circ} 42' 45''$ East by and with the center of a ditch a distance of 35.90 feet; thence, South $16^{\circ} 20' 37''$ West by and with the center of a ditch a distance of 37.00 feet; thence, South $30^{\circ} 20' 37''$ West by and with the center of a ditch a distance of 84.00 feet; thence, South $10^{\circ} 54' 23''$ East by and with the center of a ditch a distance of 25.50 feet to a concrete monument; thence North $80^{\circ} 54' 17''$ East by and with the center of a ditch a distance of 640.26 feet through a locust tree to an iron pipe on the southwesterly side of McCormick Swamp Road; thence, South $43^{\circ} 37' 50''$ East by and with said McCormick Swamp Road a distance of 60.38 feet to an iron pipe; thence, South $43^{\circ} 42' 28''$ West a distance of 166.64 feet to a concrete monument; thence, South $43^{\circ} 59' 36''$ West a distance of 889.46 feet to an iron pipe; thence, North $88^{\circ} 18' 15''$ West by and with the center of a ditch a distance of 726.19 feet to an iron pipe; thence, North $88^{\circ} 04' 23''$ West a distance of 1869.64 feet by and with the center of a ditch to an iron pipe; thence, North $5^{\circ} 27' 33''$ West a distance of 154.61 feet by and with the center of a ditch to a concrete monument; thence, North $84^{\circ} 32' 27''$ East a distance of 71.44 feet to an iron pipe; thence, North $5^{\circ} 27' 33''$ West a distance of 223.57 feet to a concrete monument; thence, South $84^{\circ} 32' 27''$ West a distance of 269.64 feet to the place of beginning, containing 63.13 acres, more or less.

H. All that strip or parcel of land situate in the East Princess Anne Election District of Somerset County, Maryland, and more particularly described as follows: Beginning for the outlines of the same at an iron pipe which marks the southwest corner of the land which was conveyed unto the said Sharpgas, Inc. by Northern Propane Gas Company by "Item Third" of a deed dated September 30, 1982, and recorded among the Land Records of Somerset County in Liber I.T.P. No. 335, page 227; thence (1) South $6^{\circ} 40' 36''$ West a distance of 208.64 feet to an iron pipe located on the southerly side of a lane leading from the easterly side of Maryland Route No. 598 to the residence of D. Willis Adams and Hildur Nyquist Adams, his wife, thence (2) South $84^{\circ} 32' 27''$ West by and with the southerly side of said land and the land of Oscar Hackman, et al, (deed reference Liber I.T.P. No. 315, page 774) a distance of 10.43 feet to a

concrete monument on the easterly side of the said Maryland Route No. 598 and the northwest corner of the aforesaid Hackman land; thence (3) North 5° 27' 33" West by and with said Maryland Route No. 598 a distance of 50.93 feet to an iron pipe located on the easterly side of the Pennsylvania Railroad right of way; thence, (4) North 6° 40' 36" East by and with the easterly side of said Pennsylvania Railroad right of way a distance of 153.97 feet to an iron pipe; thence (5) North 73° 43' 28" East a distance of 17.37 feet to the place of beginning.

I. All that tract of land in the West Princess Anne Election District of Somerset County, Maryland, beginning at a point on the western boundary of U.S. Route 13 and the easternmost boundary of the property of the First Baptist Church of Princess Anne, and being separated from the land owned by the President and Commissioners of Princess Anne within the existing corporate limits only by the intersection of U.S. Route 13 between the properties and from said point; South 30° 15' 20" West a distance of 188.42 feet to a point thence North 89° 26' 35" West 102.42 feet to a point thence South 80° 23' 03" West 102.37 feet thence North 00° 16' 56" East 163.54 feet to a point thence North 89° 43' 05" West a distance of 495.93 feet all of the preceding courses and distances being the southernmost boundaries of the property of the First Baptist Church of Princess Anne and across Crisfield Lane from said boundary to a point on the westerly side of Crisfield Lane on the eastern property line of Charles W. Messick thence South 01° 03' 10" West 142.08 feet by and with a curve in the Messick property where it adjoins the intersection of Crisfield Lane and Deal Island Road having a radius of 25 feet and an arc of 39.6 feet thence North 85° 05' 39" West 45.54 feet thence North 82° 00' 11" West 50.58 feet thence North 86° 56' 56" West 50.55 feet thence South 89° 05' 49" West 50.27 feet thence North 85° 05' 39" West 45.54 feet thence South 79° 04' 14" West 45.80 feet thence South 82° 40' 22" West 97.75 feet thence North 08° 08' 17" 20.00 feet thence South 85° 50' 41" West 42.28 feet thence South 03° 34' 32" East 20.80 feet thence South 84° 45' 15" West 109.68 feet thence North 68° 29' 44" West 62.94 feet thence South 83° 23' 34" West 200.02 feet thence South 81° 34' 49" West 150.16 feet thence South 79° 40' 41" West 50.16 feet thence South 78° 32' 29" West 50.25 feet thence South 84° 65' 56" West 1667.53 feet by and with the Delta Partnership property to a point being the southwesternmost point of the property to be annexed thence North 05° 58' 23" West 344.84 feet to a point thence North 34° 26' 30" East 540.39 feet to a point thence North 06° 12' 11" East 2162.74 feet to a point thence North 80° 19' 15" West a distance of 214.87 feet to a point thence North 34° 58' 48" East a distance of 776.86 feet by and with but not including Greene Road to a point at the southwesternmost corner of the land of W. J. and Shirley Powell thence South 75° 52' 47" East 428.32 feet to a point thence North 14° 06' 40" East 238.48 feet to a point on the southern boundary of Maryland Route 362 thence South 76° 11' 26" East 39.95 feet to a point thence South 14° 06' 46" West 488.82 feet to a point thence South 76° 34' 55" East a distance of 451.74 feet thence generally by and with the Wesley Branch Ditch South 32° 31' 00" East 255.37 feet to a point thence South 22° 12' 38" East 427.25 feet to a point thence South 18° 21' 56" East a distance of 322.74 feet thence South 10° 36' 48" East a distance of 319.99 feet to a point thence south 28° 54' 47" East a distance of 119.57 feet to a point thence South 08° 19' 07" East a distance of 58.06 feet to a point thence North 89° 19' 49" East 1373.40 feet to a point on the westerly side of Crisfield Lane thence South 01° 03' 10" West 597.59 feet to a point thence South 86° 36' 39" East a distance of 641.28 feet being the northernmost boundary of the First Baptist Church of Princess Anne thence south 10° 20' 36" East 729.80 feet to the place of beginning. The total area of the annexation being 184.90 acres. (Passed 11-10-86.)

J. All that tract of lane [land] in the West Princess Anne Election District of Somerset County, Maryland, beginning at a point west of the existing municipal corporate limits and on the west side of U.S. route 13 then south $66^{\circ} 45' 01''$ west 156.93 feet, then north $84^{\circ} 29' 37''$ west 180.00 feet then south $05^{\circ} 30' 23''$ west 100.00 feet then north $84^{\circ} 29' 37''$ west 372.82 feet then north $04^{\circ} 16' 07''$ east 610.65 feet then north $11^{\circ} 58' 51''$ east 199.29 feet then north $15^{\circ} 18' 12''$ east 585.88 feet by and with a ditch to a point then south $67^{\circ} 33' 38''$ east 543.64 feet to a point then south $07^{\circ} 13' 56''$ west 914.74 feet to a point then south $26^{\circ} 04' 55''$ west a distance of 105.86 feet to the place of beginning. (Passed 3-17-87.)

K. All that lot of land in the West Princess Anne Election District of Somerset County, Maryland beginning at a point of the south side of Maryland Rt. 363 being south of the existing Town limits (at the First Baptist Church Property) and being the northernmost point of the property now of George N. Lizas, Custodian and thence South 41 degrees 33 minutes 03 seconds east a distance of 237.56 feet thence by and with a curve in U.S. Route 13 on its westerly side said curve having an arc of 1203.82 feet and a radius of 5604.08 feet to a point then south 06 degrees 26 minutes 41 seconds west a distance of 459.64 feet to a point thence south 36 degrees 22 minutes 30 seconds west a distance of 222.95 feet to [a] point on Wharf Road then south 005 degrees 08 minutes 10 seconds east a distance of 60 feet to a point then south 32 degrees 26 minutes 19 seconds east a distance of 158.02 feet to a point then south 06 degrees 26 minutes 41 seconds west a distance of 684.88 feet to a curve with an arc of 1309.20 feet and a radius of 2989.79 feet to a point then south 10 degrees 57 minutes 08 seconds west 277.55 feet then south 47 degrees 36 minutes 53 seconds east 5.00 feet to a curve with an arc of 293.97 feet to a point then south 25 degrees 08 minutes 49 seconds west 814.35 feet to a point then north 66 degrees 11 minutes 30 seconds west a distance of 783.01 feet to a point then north 21 degrees 20 minutes 10 seconds east a distance of 122 feet then north 66 degrees 11 minutes 30 seconds west a distance of 367.71 feet then by and with the same coordinates 145 feet more or less to the mean high water line of the Manokin River and then generally north and east by and with said mean high water line until such line joins the point of beginning. Said property to be annexed being shown as the properties of Georgia N. Lizas, Custodian, the Somerset County Sanitary Commission, the State Roads Commission, Kellam Distributors and B.W. Developers. (Passed 4-16-87.)

L. All that tract of land in the East Princess Anne Election District of Somerset County, Maryland, beginning at a point 33.00 feet from the center of the Penn-Central Railroad track, 1988.10 feet from the corporate limits and proceeding from that point north 66 degrees 16 minutes 50 seconds east a distance of 421.73 feet to a point thence south 04 degrees 44 minutes 25 seconds east by and with a county road a distance of 863.52 feet to a point thence north 41 degrees 38 minutes 10 seconds west by and with a county road a distance of 557.43 feet thence north 38 degrees 34 minutes 20 seconds west a distance of 158.61 feet to a point thence north 04 degrees 30 minutes 00 seconds east 150.50 feet to the place of beginning. (Passed 8-17-87.)

M. All that tract of land in the East Princess Anne Election District of Somerset County, Maryland beginning at a point being the northeasternmost point of Lot 10 of the Princess Anne Industrial Park said point being on Park Drive and then North 43 degrees 59 minutes 36 seconds East 202.54 feet to a point then South 50 degrees 41 minutes 24 seconds East 122.10 feet to a point then south 01 degrees 09 minutes 36 seconds West 589.72 feet to a point

then North 88 degrees 50 minutes 24 seconds West 582.97 feet to a point then South 66 degrees 20 minutes 06 seconds West 250.25 feet to a point then North 43 degrees 59 minutes 36 seconds East 205.71 feet to a point then North 43 degrees 59 minutes 36 seconds East 642.02 feet by and with the existing Town limits to the point of beginning and being part only of the property now or formerly owned by Charles S. Fontaine and Rosie D. Fontaine. (Passed 1-18-88.)

N. All that tract or parcel of land situated, lying and being in West Princess Anne Election District, Somerset County, Maryland, on the west side adjacent to a service road in the right of way of U.S. Route 13, and being more particularly described as follows: Beginning for the same at a point where a ditch separates the land herein described from the existing corporate boundary of the Town of Princess Anne located 302 feet from State Route 362, said point lying along the existing corporate boundary of the town of Princess Anne as shown on a plat prepared by Chris D. Custis entitled "Annexation Plat for the town of Princess Anne," a copy of said plat being filed with the Circuit Court of Somerset County; thence from said point of beginning as follows, according to said plat:

(1) North 27 degrees 15 minutes 58 seconds East a total of 683.17 feet (said course reversed on aforementioned plat);

(2) North 65 degrees 17 minutes 46 seconds West 220.82 feet to the existing corporate boundary of the town of Princess Anne (said course reversed on the aforementioned plat); thence by and with the existing corporate boundary of the town of Princess Anne the following course and distance:

(i) South 09 degrees 4 minutes 36 seconds West 708.68 feet to the place of beginning containing 1.134 acres more or less as laid down and described on the aforesaid plat.

And being all that property owned in fee simple by Robert E. Wink and W.B.W. Developers, as of August 26, 1992. (Res. No. 92-08-02, 3-6-93.)

O. All that tract of land situated in the West Princess Anne Election District of Somerset County, Maryland, and more particularly described as follows: Beginning for the outlines of the same at a point lying along the north side of an access road 38.44 feet from an iron pipe, said point lying along the existing corporate boundaries of the Town of Princess Anne; thence South 07 degrees 57 minutes 36 seconds West a distance of 160.00 feet; thence South 08 degrees 54 minutes 36 seconds West a distance of 234.92 feet; thence North 82 degrees 02 minutes 24 seconds West a distance of 188 feet; thence North 06 degrees 02 minutes 43 seconds East a distance of 235 feet; thence North 07 degrees 57 minutes 36 seconds East a distance of 60 feet to a point lying along the existing corporate boundaries of the Town of Princess Anne containing 1.626 acres more or less being accurately laid down and described as aforesaid on a plat by Chris D. Custis recorded and filed with the Circuit Court of Somerset County. (Res. No. 1993-1, 3-6-93.)

P. All that lot or parcel of land situate in East Princess Anne Election District, Somerset County, Maryland, more particularly described as follows: Beginning at a point at the

intersection of the south side of the State Highway Commission right of way at the entrance of said tax ditch, canal or creek, thence by and with said right of way the seven following courses and distances: (1) North 79 degrees 38 minutes 00 seconds East a distance of 34.11 feet, thence (2) North 10 degrees 22 Minutes 00 seconds West a distance of 38.00 feet, thence (3) North 79 degrees 30 minutes 00 seconds East a distance of 31.81 feet, thence (4) South 28 degrees 02 minutes 19 seconds East a distance of 40.76 feet, thence (5) North 58 degrees 42 minutes 41 seconds East a distance of 108.75 feet, thence (6) North 79 degrees 38 minutes 00 seconds East a distance of 0.82 feet, thence (7) by and with the curve of said right of way a distance of 16.59 feet in an easterly direction to the corner of the Duer Lot, thence (8) South 06 degrees 17 minutes 41 seconds West a distance of 186.30 feet to a point , thence (9) South 86 degrees 08 minutes 30 seconds East a distance of 210 feet to a said railroad, thence (10) South 06 degrees 17 minutes 41 seconds West a distance of 343.26 feet to a center of said tax ditch, canal or creek, thence (11) with the center thereof North 58 degrees 48 minutes 56 seconds West a distance of 48.82, thence (12) with the center of same North 36 degrees 43 minutes 56 seconds West a distance of 188.56 feet, thence (13) North 30 degrees 51 minutes 38 seconds West a distance of 265.33, thence (14) continuing with same North 31 degrees 50 minutes 40 seconds West a distance of 86.23 feet to first mentioned point and place of beginning, containing 1.918 acres of land, more or less, and being accurately laid down and described on a plat prepared by Chris D. Custis, Registered Surveyor, recorded among the Land Records of Somerset County in Liber I.T.P. No. 18 at folio 14, and being the same and all the land conveyed to the President and Commissioners of Princess Anne By Tony Bruce by deed dated November 5, 1992, recorded in the Land Records office of Somerset County in Liber I.T.P. No. 407, folio 967, et. seq. and be confirmatory deed dated December 4, 1992, recorded in the Land Records office of Somerset County in Liber I.T.P. No. 408, folio 535, et. seq. (Res. No. 1995-2, 4-20-95.)

Q. All that lot or parcel of land situate in East Princess Anne Election District, Somerset County, Maryland, more particularly described as follows: Being at a point of the intersection of the south side of Park Avenue and the west side of the corporate limits of the Town of Princess Anne, thence South 05 degrees 27' 33" East a distance of 222.83 feet, thence South 84 degrees 32' 27" West a distance of 280.44 feet, thence North 05 degrees 27' 33" West a distance of 205.10 feet, thence North 80 degrees 55' 27" East a distance of 281.00 feet to the first mentioned point and place of beginning, containing 60.005 square feet and being accurately laid down and described as aforesaid on a plat by Chris D. Custis recorded in the Land Records office of Somerset County in Liber I.T.P. No. 425 at folio 800, and being all and the same land that was conveyed to the President and Commissioners of Princess Anne by Marilyn Heckman, Personal Representative of the Estate of Alvin Heckman, and Oscar Heckman by deed dated November 14, 1994 recorded in the Land Records office of Somerset County in Liber I.T.P. No. 424, folio 242, et. seq. (containing 1.38 acres of land, more or less) (Res. No. 1995-3, 4-20-93.)

R. *Parcel One:* All that lot or parcel of land situated on the southerly side of the State road leading from Princess Anne to Mount Vernon, beginning at a stone placed on the southerly side of the aforesaid State road one hundred (100) feet easterly from the northeast corner of the yard of or formerly of Roy W. Smith and Jessie Smith property where the fence on the easterly side of said Roy W. Smith and Jessie Smith's yard fence and the continuation thereof a distance of two hundred and forty feet (240) to a stone; thence, in an easterly direction a parallel with the State road right of way one hundred (100) feet to another stone; thence, in a

northerly direction and parallel with the said yard fence a distance of two hundred and forty (240) feet to the aforesaid stone road and a stone placed; thence, in a westerly direction one hundred (100) feet to the place of beginning; and being the same and all that land conveyed unto William J. Moton and Lillian M. Moton, his wife, by James M. Rue and Doris T. Rue, his wife, by deed dated August 15, 1986, and recorded among the land records of Somerset County in Liber 360, folio 821, and which, upon the demise of William J. Moton, became vested solely in Lillian M. Moton as surviving tenant, except so much of the aforescribed property as was conveyed by the said James M. Rue and Doris T. Rue to the State Roads Commission of Maryland by deed dated April 14, 1989, and recorded among the aforesaid land records in Liber G.J.S. No. 192, folio 125. Subject, however, to an easement to WBW Developer dated August 7, 1987, and recorded as aforesaid in Liber 368, folio 438.

Parcel Two: All that lot or parcel of land situate as aforesaid, south of but not adjacent to Maryland Route 362, known as Mt. Vernon Road, and west of and adjacent to the road which connects with U.S. Route 13, containing approximately 5.33 acres of land, more or less; and being the same and all that land conveyed until William J. Moton and Lillian M. Moton, his wife, by Agway Petroleum Corporation by deed dated September 27, 1984 and recorded among the land records of Somerset County in Liber 347, Folio 201, and which, upon the demise of William J. Moton, became vested solely in Lillian M. Moton as surviving tenant, and together with a seventeen-foot right of way as set forth in a deed unto John R. Somers and Oliver P. Somers, his wife, dated April 14, 1960, and recorded as aforesaid in Liber 198, folio 458. Subject, further, to an off-conveyance to the Board of County Commissioners for Somerset County, Maryland, dated March 27, 1952, and recorded as aforesaid in Liber 209, folio 100 (Edgehill Hill Terrace Road) (Res. No. 2000-6, 6-14-00.)

S. All that lot or parcel of land situate in West Princess Anne Election District, Somerset County, Maryland, on the south side of but not adjacent to Linden Avenue, on the east side of but not adjacent to U.S. Route 13, on the north side of but not adjacent to Beckford Avenue; said land is more particularly described as follows: beginning for the same at a point in the center of intersecting ditches on the east side of Dryden Road; said point of beginning designates the southwest corner of the lands herein described, thence from said point of beginning and by and with the center of the said ditches as follows: (1) North 17 degrees, 23 minutes, 25 seconds West by and with the east side of said Dryden Road, a distance of 391.8 feet to a point, thence (2) North 79 degrees, 16 minutes, 00 seconds East a distance of 660.07 feet to a point, thence (3) South 16 degrees, 02 minutes, 40 seconds East part way with the west side of a 30 foot road indicated on said plat a total distance of 229.14 feet to a point, thence (4) South 48 degrees, 19 minutes, 44 seconds West a distance of 285.46 feet, thence (5) South 51 degrees, 15 minutes, 49 seconds West a distance of 37.8 feet to a point, thence (6) South 79 degrees, 49 minutes, 49 seconds West a distance of 357.88 feet to the place of the beginning; containing 5.36 acres, more or less, and more particularly described on a plat entitled "A Residential Subdivision Kilkenny Court" by Chris D. Custis, dated June 23, 2001 and intended to be recorded among the land records of Somerset County, Maryland upon approval of annexation and being the same land that was conveyed unto Paul J. Thorton, by deed dated March 16, 2001 and recorded among the land records of Somerset County, Maryland in Liber 0503, Folio 377. (Res. No. 2001-01, 11/23/01.)

T. *Parcel One (Greenwood Middle):*

(1) All that lot or parcel of land, lying and being in the West Princess Anne Election District, Somerset County, State of Maryland and bounded on the west by U.S. Route 13, and bounded on the east by Dryden Road, and beginning at a point being the northwesterly most point of the land to be annexed and as is more particularly laid down and described on a plat by W. Ballard Miles, surveyor, entitled "Plot of a Tract of Land Surveyed for the Board of Education, Somerset County, Maryland," dated June 2, 1960 and recorded in the land records of Somerset County in Plat Book No. 4, Folio 91; thence, in a southerly direction by and with the easterly boundary of the right of way of Route 13 and which is a curve with a radius of 2739.79 degrees for a distance of 578.60 feet and as more clearly marked on the above named plat; thence, by and with the center line of a 4 foot ditch, North 44 degrees, 28 minutes East a distance of 203.10 feet to a point; thence, North 78 degrees, 20 minutes East a distance of 151.50 feet to a point; thence, North 67 degrees, 00 minutes East a distance of 38 feet to a point; thence, South 89 degrees, 30 minutes East a distance of 270 feet to a point; thence, North 85 degrees, 15 minutes East a distance of 85 feet to a point; thence, North 47 degrees, 20 minutes East a distance of 66 feet to a point; thence, North 15 degrees, 35 minutes West a distance of 385.50 feet to a point; thence, South 82 degrees, 22 minutes West a distance of 559.70 feet to the point of the beginning; specifically excluding that portion of Dryden Road as designated on the above named plat as a 30 foot right of way; and containing 6.24 acres, more or less, (erroneously designated on the said plat as containing 4.25 acres of 185,050.00 square feet); and being the same land that was conveyed unto the Board of Education of Somerset County, a body corporate of Somerset County and State of Maryland from Alton E. Dryden by deed dated June 15, 1960 and recorded in the land records of Somerset County Liber 199, Folio 168.

(2) All that lot or parcel of land situate in West Princess Anne Election District, Somerset County, Maryland, being bounded on the west by the right of way of U.S. Route 13, bounded on the east by Dryden Road and more particularly described as: beginning at a post set up at the end of the 5th course of Lot No. 18 at the angle of the private road laid off for an outlet for lot No. 21 represented by the letter "U" as designated on a plat by William F. W. Miles dated April 10, 1884, and recorded among the Chancery Records of Somerset County in Liber H.F.L. No. 2, Folio 501; thence, by and with the north side of said private road, South 64 degrees, West 18 prs. to a post set up on the old fence now; thence, by and with the said old fence now, North 22 degrees West 57 1/4 prs. to the middle of the lead ditch leading down to Kings Creek; thence by and with the middle of said lead ditch the three (3) following courses: South 75 degrees 30 West 71 1/2 prs. to the angle in said ditch; thence, South 25 degrees West 4 prs. to the angle in said ditch; thence, South 59 degrees West 7 prs. to the run of the said Kings Branch; thence, up by and with the run of said branch and the middle of the ditch dividing the said lands from the land of Dr. Cadius Dashiell, the thirteen (13) following courses to wit: South 45 degrees East 16 1/2 prs.; thence, South 35 degrees East 13 1/2 prs.; thence, South 38 degrees 30 minutes East 17 1/2 prs.; thence, South 47 degrees, 30 minutes East 18 prs.; thence, South 81 degrees East 7 prs.; thence North 73 degrees East 6 prs.; thence North 89 degrees East 8 prs.; thence, North 41 degrees, 30 minutes East 12 1/2 prs.; thence, North 72 degrees, 30 minutes East 4 prs.; thence North 81 degrees East 4 prs.; thence, North 55 degrees, 15 minutes East 3 prs.; thence, North 89 degrees East 10 3/4 prs.; thence, North 64 degrees East 24 prs. to the angle in said ditch at the head of said Kings Branch at the angle in the County road; thence, South 20

degrees east 2 prs. to the margin of said County road; thence, North 23 degrees, East 2 prs. to a white gum; thence, with a line drawn to the beginning containing 25 3/8 acres; except a graveyard described as being 32 feet in width and 32 feet in depth reserved in a deed from Peter Layfield and wife to J. Clifford Taylor dated January 9, 1907 and recorded among the land records of Somerset County in Liber S.F.D. No. 44, Folio 525 together with a right of way thereto; and also except so much as was conveyed unto the State of Maryland and to the use of the State Roads Commission by Alton E. Dryden and Bertha E. Dryden by deeds dated August 13, 1946 and recorded among the aforesaid land records in Liber B.L.B. No. 145, Folio 61 and B.L.B. No. 145, Folio 63; and also except 6.32 acres acquired in fee by the State of Maryland to the use of the State Roads Commission from Alton E. Dryden and Bertha E. Dryden by inquisition dated November 11, 1957 and recorded among the aforesaid land records in Liber G.J.B. No. 184, Folio 169 and 16/1000 of an acre acquired for drainage easement purposes and certain rights acquired in 7.82 acres and also except 185,050 square feet conveyed by Alton E. Dryden, widower unto the Board of Education of Somerset County by deed dated June 15, 1960 and recorded among the aforesaid land records in Liber G.J.B. No.199, Folio 168. Said property being originally laid down on the above named plat and shown thereon as Lot 21 on Plat A; except that portion of land being laid out as a 20 foot right of way in width as designated on the above named plat and the 30 foot right of way as designated on a plat by W. Ballard Miles dated June 2, 1960 (File D-434) and recorded among the land records of Somerset County in Plat Book No. 4, Folio 91 and being more particularly known as Dryden Road. The land above described being assessed as containing 5.66 acres, more or less, and being the same land that was conveyed unto the Board of Education of Somerset County, a body politic and corporate of the State of Maryland by Lois D. Lockard by deed dated December 11, 1978 and recorded in the land records of Somerset County in Liber 311, Folio 496.

(3) All that lot or parcel of land, situate in West Princess Anne Election District, Somerset County, Maryland being the portion of Dryden Road, and only that portion of Dryden Road which on the east abuts Kilkenny Court and the Princess Anne Town limits and which on the west abuts parcel T(2) as described above; the northern boundary thereof shall be the extension of the northern boundary of the parcel of land described in T(2) above; and the southern boundary thereof shall be the extension of the southern boundary of Kilkenny Court.

U. *Parcel Two (Princess Anne Primary):*

(1) All that lot or parcel of land, situate in West Princess Anne Election District, Somerset County, Maryland, being located east of but not binding on U.S. Route 13 and being bounded on the east by the west side of Lankford Avenue and more particularly described as beginning at a point marked by an iron pipe on the northern side of Linden Avenue and being the southeasterly point of the land to be conveyed; thence, by and with the westerly boundary of Lankford Avenue North 10 degrees, 10 minutes West a distance of 379 feet to a point marked by an iron pipe; thence, South 79 degrees, 50 minutes West a distance of 672 feet to a point marked by an iron pipe; thence, South 10 degrees, 30 minutes East a distance of 369 feet to a point marked by an iron pipe; thence, by and with the northerly boundary of Linden Avenue, North 80 degrees, 25 minutes East a distance of 672 feet to the place of the beginning and being all the land that was conveyed to the Board of Education of Somerset County, a body corporate and politic, under the laws of the State of Maryland from the Princess Anne School Holding

Company by deed dated August 14, 1933 and recorded in the land records of Somerset County in Liber 105, Folio 365.

(2) All that lot or parcel of land located in the West Princess Anne Election District, Somerset County, Maryland, and being all that lot beginning at an iron pipe set at the northeastern corner of the land described in U(1) and on the west of Lankford Street; thence, running North 10 degrees, 10 minutes West 75 feet to another iron pipe; thence, South 80 degrees, 25 minutes West 552 feet to another iron pipe; thence, South 10 degrees, 10 minutes East a distance of approximately 82 feet to another iron pipe on the northern most line of Lot U(1) above mentioned; thence by and with the north line of the lot above described in U(1), North 79 degrees, 50 minutes East 552 feet to the place of the beginning, being the same lot that was conveyed unto the Board of Education of Somerset County by Edgar A. Jones and Sally Wat Jones by deed dated October 9, 1946 and recorded in the land records of Somerset County in Liber 138, Folio 258. (Res. No. 2002-1, 5/24/02.)

V. All that lot or parcel of land located in the West Princess Anne Election District of Somerset County and more particularly described as beginning at a point at the intersection of the eastern boundary of U.S. Route 13 and the northern boundary of the Umes Boulevard; thence, in a southerly direction, by and with the eastern boundary of U.S. Route 13 to the point of intersection with the northern boundary of Stewart Neck Road; thence, in a southwesterly direction by and with what would be the continuation of the northern boundary of Stewart Neck Road to the point of intersection with the western boundary of U.S. Route 13; thence, in a northerly direction, by and with the western boundary of U.S. Route 13 to a point which is directly across U.S. Route 13 from the point of beginning; thence, in an easterly direction by and with what would be a continuation of the northern boundary of Umes Boulevard to the point of the beginning, and being a portion of U.S. Route 13 as is [it] intersects the Town of Princess Anne. (Res. No. 2002-02, 6-27-02.)

W. All that lot or parcel of land, lying and being in Election District 15, Somerset County, State of Maryland and bounded on the west by Old Princess Anne Road, and beginning at a point being the northwesternmost point of the land to be annexed and as is more particularly laid down and described on a plat by Chris D. Custis, surveyor, entitled "Lands to be Annexed to the Town of Princess Anne," dated April 25, 2003, recorded in the land records of Somerset County in Plat Book No. ITT24, Folio 88; thence, north 89 degrees, 56 minutes, 43 seconds, east a distance of 222.51 feet to a point; thence, north 89 degrees, 56 minutes, 43 seconds east, a distance of 676.06 feet to a point; thence, north 89 degrees, 56 minutes, 43 seconds east, a distance of 398.50 feet to a point; thence, north 89 degrees, 56 minutes, 43 seconds east, a distance of 581.13 feet to a point; thence, north 89 degrees, 59 minutes, 36 seconds east, a distance of 1037.42 feet to a point; thence, south 64 degrees, 52 minutes, 55 seconds west, a distance of 537.29 feet to a point; thence north 12 degrees, 00 minutes, 00 seconds west, a distance of 16.50 feet to a stone found; thence, south 77 degrees, 59 minutes, 43 seconds west, a distance of 336.72 feet to a point; thence south 80 degrees, 59 minutes, 43 seconds west a distance of 645.97 feet to a point; thence south 82 degrees 59 minutes 43 seconds west a distance of 783.75 feet to a point; thence, south 63 degrees, 15 minutes, 00 seconds west, a distance of 216.26 feet to a point; thence, north 06 degrees, 42 minutes, 02 seconds west, a distance of 558.53 to a point; thence, south 89 degrees, 56 minutes, 43 seconds west, a distance of 419.40 to

a point; thence, north 07 degrees, 49 minutes, 16 seconds west, a distance of 20.19 to the place of beginning; the land above described being assessed as containing 18.50 acres, more or less, and being the same lot that was conveyed unto John L. Ent, Sr. and Emily B. Ent of Somerset County by Gladys D. Ford by deed dated November 27, 1974 and recorded in the land records of Somerset County in Liber 283, Folio 795. (Res. No. 2003-6, 9-11-03.)

X. *Parcel 1.* All that tract, lot or parcel of land, lying and being in West Princess Anne Election District, Somerset County, Maryland, containing 0.39 acres, more or less, and being shown as Parcel No. 2 on a plat entitled "Descriptive Plat of the Property of Samuel S. Cross and Wife near Princess Anne, Maryland" dated April 5, 1961 and recorded among the land records of Somerset County in Plat Book No. 5, Folio 27; and being more particularly described as follows: beginning for the outlines of the same at a point on the east side of U.S. Route 13 at a point indicated by the letter "B" on the aforesaid plat; thence (1) south 71 degrees, 40 minutes east, a distance of 570 feet with a ditch to intersect the westerly side of the Old U.S. Route No. 13, now known as U.S. Route 13A; (2) thence north 8 degrees, 00 minutes east, a distance of 39.49 feet with the westerly side of and binding upon U.S. Route 13A; (3) thence south 71 degrees, 40 minutes west, a distance of 562.96 feet to intersect the easterly line of said U.S. Route 13; (4) thence south 21 degrees, 30 minutes west by and with the east side of U.S. Route 13, a distance of 30.04 feet to the place of beginning.

Parcel 2. All that tract of land situate, lying in, and being in the West Princess Anne Election District, Somerset County, Maryland, located on the east side of U.S. Route 13, the south side of U.M.E.S. Boulevard and the west side of Somerset Avenue and more particularly described as follows: beginning for the same at a an iron pipe placed on the west side of and binding on Somerset Avenue, it being the south east corner of the land herein described; thence N 80° 28' 06" W a distance of 547.63' to an iron pipe placed on the east side of U.S. Route 13; thence by and with the east side of U.S. Route 13, N 12° 57' 59" E a distance of 332.67' to an iron pipe placed; thence N 46° 39' 50" E a distance of 76.80' to an iron pipe placed on the south side of U.M.E.S. Boulevard; thence by and with U.M.E.S. Boulevard the five following courses: S 75° 08' 07" E a distance of 107.13' to an iron pipe placed; thence S 14° 51' 53" W a distance of 15.00' to an iron pipe placed; thence S 75° 08' 07" W a distance of 120.00' to a [an] iron pipe placed; thence N 14° 51' 53" E a distance of 25.00' to a [an] iron pipe placed; thence S 75° 08' 07" E a distance of 189.42' to an iron pipe placed; thence S 30° 03' 21" E a distance of 44.85' to an iron pipe placed on a curve on the west side of Somerset Avenue; thence by and with said Somerset Avenue on said curve having a radius of 2633.40' and a length of 332.27' to the place of beginning. (Res. No. 2003-7, 12-11-03.)

Y. All that tract or parcel of land consisting of the residue of the Dennis-Lankford estate known as "Beckford" in West Princess Anne Election District, Somerset County, State of Maryland, lying partly within and beyond the corporate limits of the Town of Princess Anne and lying on the east side of but not adjacent to the Manokin River and lying and binding on the east side of and adjacent to U.S. Route 13 leading from Princess Anne to Salisbury (G.J.B. No. 184, Folio 406, SRC Plats 14417, 144118 and 14419). Bounded on the north by Mansion Street and the lands now or formerly of Milton E. Freburger, Dallas J. Lewis, II, Vestry of Somerset Parish, Susan T. Donohue, Somerset County Historical Society and Francis Joseph Hubbs, Jr.; on the west by U.S. 13; on the south by the lands now or formerly of B.P. Bogia, Louis F. Friendman,

the Somerset County Board of Education, Donald Harting, and Aaemuel F. Deas; and on the east by Beckford Avenue and Lankford Street, being more particularly described as follows: beginning for the same at point which marks the intersection of the center of a ditch and the west side of Beckford Avenue at the extreme northeast corner of the land of W. Marshall Scott and Jeanette G. Scott (B.L.B. No. 181, Folio 326, Lot B, Plat B.L.B. No. 184, Folio 489), thence (1) south 84 degrees 49 minutes west by and with the north line of the aforesaid Scott land a distance of 260.28 feet to a point which marks the northwest corner of the aforesaid Scott land, thence (2) south 8 degrees 10 minutes east by and with the west line of the aforesaid Scott property a distance of 146 feet, thence (3) north 81 degrees 50 minutes east 10 feet to the westerly line of a thirty foot road known as Lankford Avenue, thence (4) by and with the west side of Lankford Avenue south 8 degrees 10 minutes east 203.60 feet to the northeast corner of the land of the Board of Education of Somerset County, now occupied by the Princess Anne Elementary School, thence (5) by and with the north line of the Board of Education property south 80 degrees 57 minutes 50 seconds west 557.50 feet to a concrete post and the land of Alexander G. Jones and Catherine M. Jones, thence by and with the said Jones land the two following courses and distances: (6) North 8 degrees 41 minutes west 50 feet to a concrete post at the northeast corner of said Jones land, thence (7) south 81 degrees 06 minutes west 223.60 feet to a concrete post placed on the easternmost right of way line of U.S. Route 13 known as the Princess Anne By-Pass, thence (8) by and with the easternmost right of way line of U.S. Route 13 a distance of 1420 feet, more or less, to a point, thence (9) continuing with the said easternmost right of way line north 17 degrees 6 minutes east approximately 180 feet to intersect the westerly corner of the land owned or formerly owned by Ronald Wayne Smith and Joyce B. Smith, thence (10) south 32 degrees 54 minutes east by and with the west line of aforesaid Smith land approximately 224 feet to the westerly corner of land of Aline W. Waller, thence (11) south 32 degrees 54 minutes east by and with the west line of the said Waller land 148.23 feet to a concrete post and the west corner of the land of O. Hoyt Bloodsworth, thence (12) south 32 degrees 54 minutes east by and with the west line of the Bloodsworth land 142.40 feet to a concrete post found, thence (13) continuing with the said Bloodsworth land north 69 degrees 22 minutes east 34.74 feet to a concrete post found, (14) south 47 degrees 45 minutes 30 seconds east by and with the west line of the land of Henry Henderson and Marie Henderson 145.90 feet to a concrete post placed at the extreme southwest corner of the aforesaid Henderson land, thence (15) by and with the southernmost line of the aforesaid Henderson land, the southernmost line of Mansion Street, and the southernmost line of the lands of A. Norris Dashiell and Agnes Dashiell and the land of George B. Fitzgerald and the land of the Vestery of Somerset Parish north 81 degrees 25 minutes 30 seconds East 506.07 feet to a concrete post placed on the west side of Beckford Avenue at the extreme southeast corner of the land herein described, thence (16) south 8 degrees 38 minutes 30 seconds east by and with the west side of Beckford Avenue a distance of 723.05 feet to the place of beginning, containing 24.116 acres, more or less, accurately laid down and described on a plat by G. Oliver Morrell dated April 1973, entitled "Plat of Beckford Surveyed for Freedom H. Ainsworth and Norma R. Ainsworth of Somerset County, Maryland", and recorded among the land records of Somerset County, State of Maryland in Plat Book I.T.P. No. 9, Folio 15. (Res. No. 2003-12, 1-12-04.)

Z. All that lot or parcel of land situate on the northerly side of Hickory Lane, beginning on the westerly side of the railroad tracks at the northeasterly corner of the land to be annexed; thence (1) south 07 degrees 50 minutes 52 seconds west, a distance of 590.43 feet;

thence (2) north 82 degrees 09 minutes 00 seconds west, a distance of 84.00 feet; thence (3) north 07 degrees 51 minutes 00 seconds east, a distance of 85.00 feet; thence (4) north 82 degrees 09 minutes 00 seconds west, a distance of 46.00 feet; thence (5) south 07 degrees 51 minutes 00 seconds west, a distance of 152.46 feet; thence (6) north 85 degrees 23 minutes 35 seconds west, a distance of 469.71 feet, thence (7) along a curve with a radius of 25.00 feet, a distance of 27.43 feet; thence (8) continuing along the curve in a south westerly direction with a radius of 57.00, a distance of 123.99; thence (9) south 89 degrees 21 minutes 30 seconds west, a distance of 60.12; thence (10) north 00 degrees 36 minutes 02 seconds west, a distance of 286.03 feet; thence (11) south 86 degrees 06 minutes 00 seconds east, a distance of 99.40 feet; thence (12) north 01 degrees 21 minutes 00 seconds west, a distance of 284.00 feet; thence (13) south 86 degrees 01 minutes 00 seconds east, a distance of 748.95 feet to the place of beginning[.] (Res. No. 2004-2, 8-26-04.)

AA. *Parcel One:* All that lot or parcel or land situate on the east side of Walnut Street, beginning at the northwesterly corner of the land now or formerly owned by Linda Biedling, and being the northeasterly corner of the land described herein, thence (1) south 01 degrees 00 minutes 00 seconds west, a distance of 439.97 feet; thence (2) north 89 degrees 00 minutes 16 seconds west, a distance of 351.53; thence (3) north 01 degrees 00 minutes 00 seconds east, a distance of 320.00 feet; thence (4) south 89 degrees 00 minutes 00 seconds east, a distance of 150.00 feet; thence (5) north 01 degrees 00 minutes 00 seconds east, a distance of 120.00 feet; thence (6) south 89 degrees 00 minutes 00 seconds east, a distance of 201.53 to the place of beginning.

Parcel Two: All that lot or parcel of land situate on the southerly side of Marshall Hill Lane, beginning at the northwesterly corner of the land now or formerly owned by Pearlise Kilgore by deed recorded in Liber [Liber] 526, Folio 539, being shown on Tax Map 15 as Parcel 51, thence (1) north 89 degrees 00 minutes 16 seconds west, a distance of 278.35; thence (2) south 01 degrees 00 minutes 00 seconds west, a distance of 298.39 feet; thence (3) south 79 degrees 16 minutes 00 seconds east, a distance of 282.42 feet; thence (3) [(4)] north 01 degrees 00 minutes 00 seconds east, a distance of 346.16 feet to the place of beginning.

Parcel Three: All that lot or parcel of land designated as Walnut extending from the southerly side of land now or formerly owned by Robert & Nancy Wink to the northerly line of the proposed county corporate limits as extended over Walnut Street. All as shown on a plat entitled "Annexation Plat for Howard Malone dated October 23, 2003."

Parcel Four: All that lot or parcel of land designated as Harvey Russell Road extending from the easterly side of Somerset Avenue to the westerly side of Walnut Street as shown on a plat entitled "Annexation Plat for Howard Malone dated October 23, 2003." (Res. No. 2004-5, 8-26-04.)

AB. Beginning at the Northeasterly corner of the land now or formerly owned by James L. & E. Erlene Hinman, Trustees, and the Southwesterly corner of the land now or formerly owned by Michael R. and Beth Anne E. Showalter, Thence (1) South 83 Degrees 06 minutes 18 seconds West, a distance of 119.63 feet to a point; Thence (2) South 79 degrees 01 minutes 09 seconds West a distance of 79.87 feet to a point; Thence (3) by and with a ditch

South 74 Degrees 27 minutes 41 seconds West, a distance of 114.87 feet to a point; Thence (4) South 76 degrees 51 minutes 38 seconds West, a distance of 122.25 feet to a point; Thence (5) South 79 degrees 14 minutes 29 seconds West, a distance of 59.39 feet; Thence (6) North 25 degrees 17 minutes 21 seconds West, a distance of 99.07 feet, Thence (7) North 34 degrees 53 minutes 11 seconds West, a distance of 44.69 feet to a point; Thence (8) by and with a ditch North 41 degrees 13 minutes 57 seconds West, a distance of 104.89 feet to a point; Thence (9) North 38 degrees 18 minutes 05 seconds West, a distance of 118.88 feet to a point; Thence (10) North 34 degrees 55 minutes 25 seconds West, a distance of 29.58 feet to a point; Thence (11) by and with the property now or formerly owned by Thomas M. and Darci W. Wilson North 00 degrees 57 minutes 54 seconds West, a distance of 261.43 feet to a point; Thence (12) by and with the property now or formerly owned by William H. Wilson North 87 degrees 58 minutes 10 seconds East, a distance of 160.93 feet to a point; Thence (13) North 03 degrees 27 minutes 00 seconds West, a distance of 250.00 feet to a point on the southerly side of Mr. Vernon Road, State Route No. 362; Thence (14) by and with said road North 86 degrees 16 minutes 10 seconds East, a distance of 30.00 feet to a point; Thence (15) South 03 degrees 27 minutes 00 seconds East, a distance of 200.00 feet to a point; Thence (16) North 80 degrees 00 minutes 00 seconds East, a distance of 216.84 feet to a point; Thence (17) South 5 degrees 29 minutes 00 seconds East, a distance of 3.01 feet to a point; Thence (18) North 80 degrees 00 minutes 00 seconds East, a distance of 156.19 feet to a point; Thence (19) South 14 degrees 22 minutes 22 seconds East, a distance of 180.65 feet to a point; Thence (20) South 15 degrees 18 minutes 21 seconds East, a distance of 151.21 feet to a point; Thence (21) South 14 degrees 39 minutes 14 seconds East, a distance of 150.17 feet to a point; Thence (22) South 15 degrees 49 minutes 34 seconds East, a distance of 137.18 feet to the place of beginning and containing approximately 8.29 acres, more or less. (Res. No. 2006-1, 6-1-06.)

AC. Beginning at an iron pipe placed on the westerly side of the right-of-way of U.S. Route 13 and the southeastern most corner of the lands now or formerly owned by Brittingham Lane Development Corporation and S. Keith Miller; Thence (1) North 71 degrees 09 minutes 02 seconds west, a distance of 871.39 feet, to an iron pipe; thence (2) North 82 degrees 40 minutes 00 seconds west, a distance of 385.58 feet, to an iron pipe; thence (3) by and with the lands now or formerly of John W. Roberts & Deborah S. Cates, North 08 degrees 28 minutes 23 seconds East, a distance of 1966.53 feet; to an iron pipe; thence (4) South 66 degrees 20 minutes 42 seconds East, a distance of 250.00 feet, to a stone found; thence (5) South 67 degrees 49 minutes 07 seconds East, a distance of 1062.60 feet, to an iron pipe found; thence (6) South 62 degrees 19 minutes 07 seconds East, a distance of 499.77 feet, to an iron pipe; thence (7) by and with a Chord with a Radius of 5854.58, a distance of 564.25 feet; to an iron pipe; thence (8) by and with a Chord with a Radius of 5854.58, a distance of 631.23 feet, to an iron pipe; thence (9) by and with the westerly side of the right-of-way of U.S. Route 13, South 21 degrees 30 minutes 00 seconds West, a distance of 518.21 feet, to the place of beginning and containing 62.13 acres, more or less, as shown on a plat entitled "Annexation Plat of The Lands of Brittingham Lane Development Corporation & S. Keith Miller" dated (October 31, 2005, and prepared by Parker & Associates (Res. No. 2006-2, 7-6-06.)

AD. ALL THAT lot or parcel of land situate, lying and being in West Princess Anne Election District, Somerset County, State of Maryland, and being located on and binding upon the Southerly side of Mt. Vernon Road, known as Maryland Route 362, and the Easterly side of

Florence Lane, and more particularly described as follows: BEGINNING for the same at the intersection of the Southerly line of said Mt. Vernon Road with the Easterly side of Florence Lane at a concrete post; thence, (1) running by and with the Southerly line of said Mt. Vernon Road North 84 degrees 28 minutes East 104.66 feet to a concrete post; thence, (2) running South 4 degrees 24 minutes East 191.46 feet to a concrete post; thence (3) running South 80 degrees 0 minutes West 108.46 feet to an iron pipe on the Easterly line of said Florence Lane; thence, (4) running by and with the Easterly line of said Florence Lane North 3 degrees 27 minutes West 200 feet to the place of beginning, and being accurately laid down and described on a plat entitled "Plat of Property Surveyed for Preston & June Tyler" prepared by G. Oliver Morrell, Registered Surveyor, dated August 28, 1961, and recorded among the Land Records of Somerset County, State of Maryland, in Liber I.T.P. No. 207, Folio 86. (Res. No. 2007-14, 8-23-07.)

AE. All that lot or parcel of land, situate as aforesaid, on the southwest side of the intersection of Peggy Lane and Sherree Lane and more particularly described as beginning at a point at the southeastern most corner of the land herein described and the southwestern most corner of the land of Maranatha, Inc., thence (1) South 85° 34' 40" West, a distance of 793.21 feet to the center of a ditch separating the land herein described from the "Mason Farm"; thence (2) North 23° 46' 46" West, a distance of 210.20 feet by and with the center of said ditch to a point; thence (3) North 14° 32' 4" West, a distance of 285.34 feet; thence (4) North 78° 16' 30" East, a distance of 4.87 feet; thence (5) North 78° 16' 30" East, a distance of 155.14; thence (6) with a curve the delta of which is 19° 49' 44" and the radius of which is 185.53 feet, a distance of 64.21 feet; thence (7) South 06° 06' 45" East, a distance of 147.43 feet; Thence (8) North 85° 34' 40" East, a distance of 691.32 feet; thence (9) South 02° 30' 00" East, a distance of 320.00 feet to the place of beginning and containing 6.95 acres, more or less. (Res. No. 2007-16, 11-23-07.)

AF. ALL that lot of land situate in the West Princess Anne Election District, Somerset County, Maryland, located on the West Side of Somerset Avenue – Maryland Route 675, and commencing for the same at a point on the westerly right of way of U. S. Route 13, 250 feet wide, as shown on State Roads Commission of Maryland Plat No. 13265, said point being located at the P.T. Station 548+53.93 of the base line of Right-of-Way and being offset 125 feet to the right, thence binding on the westerly Right-of-Way, as now surveyed, will all bearings referred to the Maryland State Coordinate system (Nad '83/91), by a curve to the right with a radius of 5854.58 feet and an arc length of 655.71 feet, said curve being subtended by a chord bearing North 16° 05' 22" East 655.37 feet, to the place of beginning, thence continuing to bind on the said westerly Right-of-Way of U.S. Route 13; thence (1) by a non-tangent curve to the right with a radius of 5854.58 feet and an arc length of 548.85 feet, said curve being subtended by a chord bearing North 21° 59' 01" East 548.65 feet, thence leaving the westerly side of said U.S. Route 13 and running through and across the aforesaid land of the State of Maryland; thence (2) South 65° 19' 51" East 250.00 feet to intersect the aforesaid easterly side of U.S. Route 13, said intersection being at the division line between the land conveyed by and described in a deed from Charles W. Messick to MJ Limited, L.L.C. dated July 29, 2003 and recorded among the Land Records of Somerset County, Maryland in Deed Book I.T.P. 549, Page 586 and the land conveyed by and described in a deed from Bercher S. Heyman, James Davis, Elmer Collins, Noland James, Edward Maddox, Frank Cornish, Harold Waters, Jerome Hayman and William Barkley, Trustees on New Era I.B.P.O.E. of W., Number 1072 and Somerset Temple Number 575 to Frank Cornish, dated September 29, 1952, and recorded among the aforesaid

Land Records in Deed Book B.L.B. 157, Page 545, thence binding on the division line between MJ Limited L.L.C. land and the Frank Cornish land; thence (3) South $58^{\circ} 25' 25''$ East 382.89 feet to intersect the division line between the said MJ Limited, L.L.C. land and the land conveyed by and described in a deed from Gregory J. Olinde to Maher M. Hafez and the College Inn, LLC, dated June 20, 2006 and recorded among the aforesaid Land Records in Deed Book I.T.P. 654, Page 677, thence binding on the division line between the MJ Limited, L.L.C. land and the Maher M. Hafez and the College Inn, LLC land; thence (4) South $23^{\circ} 54' 12''$ West 314.27 feet to a common corner for the Maher M. Hafez and the College Inn, LLC land and the land conveyed by and described in a deed from David Johnson, Ruth O. Johnson and Janice Lynn Carter to Marshall D. Becoat and Joy Becoat, dated July 11, 1985 and recorded among the aforesaid Land Records in Deed Book I.T.P. 352, Page 192, thence binding on the division line between the Maher M. Hafez and the College Inn, LLC land and the Becoat land; thence (5) South $66^{\circ} 05' 48''$ East 115.73 feet to interest the westerly side of Somerset Avenue – Maryland Route 675, thence binding thereon; thence (6) by a non-tangent curve to the left with a radius of 2305.00 feet and an arc length of 224.61 feet, said curve being subtended by a chord bearing South $22^{\circ} 23' 12''$ West 224.52 feet to the division line between the land shown on a plat entitled “Survey of the land of Susan Jane Stein” dated September 6, 1984 and recorded among the said Land Records in Plat Book I.T.P. 14, Page 24 and the aforesaid Becoat land, thence leaving the said westerly side of Somerset Avenue – Maryland Route 675, and binding division lines of the Becoat land deed and land shown on the aforesaid “Survey of the land of Susan Jane Stein” plat, the following two courses and distances, viz: thence (7) North $16^{\circ} 10' 00''$ West 95.61 feet; thence (8) North $23^{\circ} 31' 30''$ West 81.65 feet, to a common corner between the aforesaid Becoat land and the land shown on the aforesaid “Survey of the land of Susan Jane Stein” plat and the land conveyed by and described in a deed from Charles W. Messick to MJ Limited, L.L.C. dated July 29, 2003 and recorded among the aforesaid Land Records in Deed Book I.T.P. 549, Page 586, thence binding on the outline of the aforesaid “Survey of the land of Susan Jane Stein” plat and the MJ Limited, L.L.C. land; thence (9) North $76^{\circ} 02' 55''$ West 367.39 feet in a pin and cap heretofore set on the easterly side of U.S. Route 13, thence running through and across the land of the State of Maryland; thence (10) North $70^{\circ} 41' 07''$ West 250.00 feet to the place of beginning and containing 7.524 acres of land more or less. (Res. No. 2007–18, 12–6–07.)

AG. Beginning at a point located on the southwesterly side of Parcel No. 240 on Tax Map 202, being the land now or formerly owned by BK Management, LLC; Thence (1) North 82 degrees 29 minutes 59 seconds East, a distance of 30.01 feet; Thence (2) South 08 degrees 10 minutes 00 seconds East, a distance of 650 feet; thence (3) by and with the Northerly line of Linden Avenue South 71 degrees 17 minutes 38 seconds West, a distance of 40.69 feet; Thence (4) along the easterly side of Parcel 259 on Tax Map 202 being the land now or formerly owned by The Board of Education of Somerset County North 08 degrees 10 minutes 00 seconds West, a distance of 454 feet; Thence (5) South 81 degrees 20 minutes 00 seconds West, a distance of 1.04 feet; Thence (6) North 09 degrees 13 minutes 43 seconds West, a distance of 142.15 feet; Thence (7) North 80 degrees 46 minutes 17 seconds East, a distance of 13.67 feet; Thence (8) North 08 degrees 10 minutes 00 seconds West, a distance of 61.42 feet to the place of beginning; and being shown on a plat entitled “Lands to be Annexed into The Town of Princess Anne” dated November 26, 2007, and prepared by Wilkins–Noble LLC. (Res. No. 2008–10; 12–4–08.)

Section 203. Filing and survey of courses and distances; violations and penalties.

A. *Boundaries filed.* The courses and distances showing the exact corporate limits of the Town shall be filed at all times with the Clerk of the Circuit Court of Somerset County, the Commissioner of the Land Office, the Director of the Department of Legislative Reference [Services] and in the office of the Town Manager. All the officials named in this Section are hereby directed to file or record all such descriptions of corporate boundaries so filed with them, each in a suitable book or place, properly indexed and reasonably available for public inspection during normal business hours.

B. *Survey.* The Commissioners of Princess Anne shall be and they are hereby authorized and directed to cause the metes and bounds, courses and distances described in Sections 201 and 202 of this Charter to be forthwith surveyed and distinctly marked by stones or other monuments or markers, to be placed as they deem necessary to properly locate said boundary lines, and full power is given to the Town of Princess Anne and to its agents, servants

and employees to enter upon any and all property from time to time for the performance of the duties imposed by this Charter in making said survey and in order to erect and maintain suitable markers for the boundaries of the municipality.

C. *Interference.* Any person interfering with the agents, servants or employees of the Town of Princess Anne or with any of them in the discharge of the duties imposed by this Section and any person removing or interfering with said boundary stones, monuments or markers placed as aforesaid shall be guilty of a misdemeanor and subject to a penalty as provided in Section 1404A of the Charter, to be recovered by criminal proceedings in the Circuit Court of Somerset County or before any Trial Magistrate of said county sitting in the Town of Princess Anne.

ARTICLE III

Registration, Nominations and Elections

Section 301. Qualifications of voters; exception.

A. Every person who is a citizen of the United States of America, is at least eighteen (18) years of age, has resided within the corporate limits of the Town for thirty (30) days next preceding any Town election shall be a qualified voter of the Town. Every qualified voter of the Town shall be entitled to vote at any or all Town elections.

B. No person shall vote in a municipal election who is disqualified from voting in any state election under the laws of this state or of the United States of America. (Res. No. 93-07-06B, 7-27-93.)

Section 302. Board of Supervisors of Elections.

A. *Membership; terms; vacancy; compensation.* There shall be a Board of Supervisors of Elections consisting of three (3) members, who shall be appointed by the Commissioners on or before the first Tuesday in February in each even-numbered year and who shall serve for a term of two (2) years or until their successors are appointed and qualified. Members of the Board of Supervisors of Elections shall be qualified voters of the Town and shall not hold or be candidates for any governmental elective office during their term of office. The Board shall elect one (1) of its members as Chair and one (1) as Vice Chair. Vacancies on the Board shall be filled by the Commissioners for the remainder of the unexpired term. The compensation of the members of the Board and employees of the Board shall be determined by the Commissioners.

B. *Removal.* Any member of the Board of Supervisors of Elections may be removed for good cause by the Commissioners. Before removal, the member of the Board of Supervisors of Elections to be removed shall be given a written copy of the charges and shall have a public hearing on said charges before the Commissioners, if so requested in writing, within ten (10) days after receiving the written copy of the charges. The decision of the Commissioners after

such hearing shall be publicly announced within two (2) days after such hearing and shall be conclusive and final.

C. *Powers and duties.* The Board of Supervisors of Elections shall be in charge of the registration of voters, candidates and all Town elections. The Board may appoint election clerks or other employees to assist it in any of its duties.

Section 303. Voter registration.

A. *Notice.* The Board of Supervisors of Elections shall give at least one (1) month's notice of every Town election by advertisement published at least two (2) times in at least one (1) newspaper published in the Town of Princess Anne and having general circulation therein and by posting a notice thereof in some public place or places in the Town.

B. Citizens of the Town of Princess Anne may register to vote in Town elections at the Town Hall (Municipal Building) any regular working day between 8:00 A.M. and 4:30 P.M. Registration shall be permanent and no person shall be entitled to vote in Town elections unless that person is registered by the Board of Supervisors of Elections for the Town of Princess Anne. It shall be the duty of the Board of Supervisors of Elections to keep the registration list up-to-date by striking from the list persons known to have died or to have become otherwise disqualified as voters under the provisions of the Charter. The Commissioners are hereby authorized and directed, by ordinance, to adopt and enforce any provisions necessary to establish and maintain a system of permanent registration and to provide for a registration when necessary.

C. *Appeals.* If any person shall feel aggrieved by the action of the Board of Supervisors of Elections in refusing to register or in striking off the name of any person or by any other action, such person may appeal to the Commissioners. Any decision or action of the Commissioners upon such appeals may be appealed to the Circuit Court of Somerset County within thirty (30) days of the decision or action of the Commissioners.

D. *Effective January 1, 1990.* According to the procedures prescribed in the Annotated Code of Maryland, State Election Code, Article 33, Section 3-2(d), residents of the Town who are registered with the county to vote in county, state, and federal elections will also be qualified to vote in Town elections. In addition, every person who is qualified to vote under the provisions of Section 301 of this charter shall be automatically registered to vote in all county elections. (Res. No. 93-07-06A, 7-27-93; Res. No. 1994-01, 4-26-94.)

Section 304. Certificate of candidacy.

A. *Filing.* A person may file as a candidate for elective office in the Town by filing a certificate of candidacy accompanied by a filing fee of ten dollars (\$10) at the office of the Board of Supervisors of Elections of the Town on or before the second Monday in May next preceding the Town election. No person shall file as a candidate for more than one (1) elective Town public office or hold more than one (1) elective Town public office at any one time.

B. *Form.* The form of the certificate of candidacy for election shall be as provided by the office of the Town Manager. The form shall include a space for the person filing as candidate to declare which election district that person votes in and whether that person is a candidate for election in that district or at-large.

Section 305. Election of Commissioners.

A. *Creation of District.* There shall be two districts created within the Town of Princess Anne each of which shall be entitled to elect two commissioners to the Town Commission.

B. *At-Large Candidate.* In addition to the four commissioners elected from the two districts, a fifth commissioner shall be elected at large.

C. *Date and Term.* On the first Tuesday in June in every even-numbered year the Board of Supervisors of Elections for the Town shall conduct an election to elect Town Commissioners. Beginning June 1992, and every four years thereafter, an election shall be held to elect one (1) commissioner from each Town election district. The two commissioner vacancies up for election in 1992 shall be the two commission seats that were elected to two (2) year terms in 1990. Also, in June 1994 and every four years thereafter, an election shall be held to elect one (1) commissioner from each Town election district, and also to elect one (1) commissioner at large. Thus, the Town's governing body shall consist of five (5) commissioners elected to four (4) year staggered terms in elections held every two (2) years. Each of the elected officials that constitutes the Town's governing body shall have a vote regarding all Town business. (Res. No. R2004-10, 11-02-04.)

Section 306. Conduct of Elections.

A. It shall be the duty of the Board of Supervisors of Elections to provide for each special and general election a suitable place or places for voting and suitable ballot boxes and ballots and/or voting machines. The ballots and/or voting machines shall show the name of each certified candidate who has filed for elective office in accordance with the provisions of the Town Charter, arranged in alphabetical order by office with no party designation of any kind. The Board of Supervisors of Elections shall keep the polls open from 7:00 a.m. to 7:00 p.m. on election days. All persons who are standing in line to vote at 7:00 p.m. shall be allowed to vote.

B. It shall be the duty of the Board of Election Supervisors to report to the Town Commissioners at the close of the time when persons may file a certificate of candidacy for election if there are not a sufficient number of candidates to create a contested election, in either district or for commissioner at-large. In this situation, the commissioners shall then by resolution cancel any such election.

Section 307. Special Elections.

All special Town elections shall be conducted by the Board of Supervisors of Elections in the same manner and with the same personnel, as far as practicable, as regular Town elections.

Section 308. Electioneering.

There shall be no campaigning or electioneering by any person on election day within one hundred (100) feet of the polls.

Section 309. Determination of results; certification and recording.

A. Within forty-eight (48) hours after the close of the polls, the Board of Supervisors of Elections shall determine the vote cast for each candidate or question on the ballot and shall certify the results of the election to the Town Manager, who shall record the results in the minutes of the Commissioners, and the Supervisors of Elections shall further certify the results of the election to the Clerk of the Circuit Court for Somerset County, who shall record the results among the county records of the clerk's office in the customary manner.

B. The one candidate in election district one and the one candidate in election district two with the highest number of votes shall be declared elected. The one candidate for election for commissioner-at-large with the highest number of votes shall be elected.

Section 310. Preservation of ballots.

All ballots used in any Town election shall be preserved for at least six (6) months from the date of the election. In the event voting machines are used, then the Supervisors of Elections shall tally such voting records, and a certified record of such tally shall be preserved for at least six (6) months from the date of the election.

Section 311. Regulation and control.

The Commissioners shall have the power to provide, by ordinance, in every respect not covered by the provisions of this Charter, for the conduct of registration, candidacy and Town elections and for the prevention of fraud in connection therewith and for a recount of ballots in case of doubt or fraud. In the event the Town Charter or ordinances of the Commissioners are not applicable, then the Public General Laws of Maryland, as set forth in the then existing Code, as amended, shall govern the conduct of registration, candidacy and Town elections.

Section 312. Violations and penalties.

Any person who fails to perform any duty required of him under the provisions of this Article or any ordinances passed thereunder, in any manner willfully or corruptly violates any of the provisions of this Article or any ordinances passed thereunder or willfully or corruptly does anything which will or will tend to affect fraudulently any registration, candidacy or Town election shall be deemed guilty of a misdemeanor. Any officer or employee of the Town government who is convicted of a misdemeanor under the provisions of this Section shall immediately, upon conviction thereof, cease to hold such office or employment. All persons, including but not limited to such officers or employees, convicted before a Trial Magistrate of Somerset County sitting in Princess Anne or before the Circuit Court of Somerset County of a

misdeemeanor under the provisions of this Section shall be subject to a penalty as provided in Section 1404A of the Charter.

ARTICLE IV Commissioners

Section 401. Legislative powers; composition; oath of office required.

A. *Number; term.* All legislative powers of the Town shall be vested in a Commission consisting of five (5) Commissioners, who shall be elected or appointed as provided in Section 305 of this Charter, and who shall hold office for a term not to exceed four (4) years or until the succeeding Commissioners take office. The term of all elected Commissioners shall commence on the second Tuesday in June next following the Town election.

B. *Oath of office.*

(1) On the third Tuesday in June, the candidates who have been elected as herein provided under the provision of Section 305 shall present themselves at the Town office and shall take oath of office as Commissioners as hereinafter provided by Section 1401.

(2) In the event that any one (1) of said newly elected Commissioners is unable to be present for the administration of the oath as hereinafter provided in Section 1401 then that person shall take the oath as soon thereafter as is practical, but in no case later than 12:00 midnight July 31 next following said election.

(3) Any person who is appointed to the office of Town Commissioner in accordance with the provisions of this charter shall be required to take the oath of office set forth in Section 1401 before entering upon ANY official duties. (Res. No. R2004-10, 11-02-04; Res. No. 2011-04; 12-01-10.)

Section 402. Qualifications.

Commissioners shall have resided within the corporate limits of the Town for at least one (1) calendar year immediately preceding their election and shall reside within the Town limits of Princess Anne during their entire term of office. Commissioners shall be qualified voters of the Town as provided in Section 301 of this Charter.

Section 403. Compensation.

Each Commissioner shall receive an annual salary, which shall be equal for all Commissioners and shall be as specified from time to time by an ordinance passed by the Commissioners in the regular course of their business; provided, however, that the salary specified at the time any Commissioner or group of Commissioners takes office shall not be changed during the period for which that Commissioner or that group of Commissioners were elected or appointed. The ordinance making any change in the salary paid to the several

Commissioners, either by way of increase or decrease, shall be adopted prior to the municipal election for the members of the next succeeding Commissioners and shall take effect only as to the members of the next succeeding Commission.

Section 404. Meetings.

The newly elected Commissioners shall meet at a time specified by the Commissioners on the Third Tuesday in June following the election for the purpose of organization. The Commissioners shall meet thereafter frequently at such times as may be prescribed by their rules, but not less frequently than once each month. Special meetings shall be called by the Town Manager upon request of the President of the Commissioners or upon request of a majority of the Commissioners. All meetings of the Commissioners shall be open to the public, and the rules of the Commissioners shall provide that residents of the Town shall have a reasonable opportunity to be heard at any regular meeting in regard to any municipal question. (Res. No. R2004-10, 11-02-04; Res. No. R2004-11, 02-01-05; Res. No. 2011-04; 12-01-10.)

Section 405. Validity of election and qualifications.

The validity of the election and the validity of the qualifications of any individual Commissioner shall be judged as provided in Section 309 of this Charter.

Section 406. Election of President and Vice President.

A. The Commissioners shall elect, by majority vote at their organizational meeting, one (1) of their members as President of the Commissioners, and said President shall preside at all meetings of the Commission in accordance with parliamentary procedure.

B. The Commissioners shall elect, by majority vote at their organizational meeting, one (1) of their members as Vice President of the Commissioners, and said Vice President shall preside, in accordance with parliamentary procedure, at all meetings at which the President is absent.

C. Should a vacancy in the office of President occur, the Vice President shall assume the office of President. The Commission shall then hold an organizational meeting to elect a new Vice President. If the vacancy in the office of President causes a vacancy among the Commissioners, the organizational meeting shall be held after that vacancy if [is] filled.

Section 407. Quorum.

Any three (3) Commissioners shall constitute a quorum for the transaction of municipal business except as provided for in cases of emergency ordinances as set forth in Section 410 of this Charter.

Section 408. Rules of procedure; journal.

The Commissioners shall determine their own rules and order of business. They shall keep a journal of their proceedings and enter therein the affirmative and negative votes upon

final action in any question, resolution or ordinance or at any time as required by any one (1) member. The journal shall be open to public inspection.

Section 409. Vacancies.

A. *Authority.* Vacancies on the Commission shall be filled as provided in Subsection B below. No person shall be elected or appointed to fill a vacancy in accordance with Section 402 below [above] unless said person, at the time of election or appointment, could have qualified as a Commissioner under the provisions of Subsection B of this Section.

B. *Procedure.*

(1) *Appointment by Commissioners.* In case of a vacancy among the Commissioners for any reason, the remaining Commissioners shall appoint within forty-five (45) days at a Town meeting some qualified person to fill such vacancy for the unexpired term. In the event of a failure of the remaining Commissioners to agree on a qualified person to fill the vacancy, and if there is a period of not less than one hundred twenty (120) days remaining of the unexpired term, the Board of Election Supervisors shall call a special election to fill the vacancy.

(2) *Appointment by Governor.* In any case in which there may be only two (2) Commissioners eligible to transact the necessary business of the Town, the Governor of the State of Maryland shall be requested by said remaining Commissioners to make an interim appointment of a qualified citizen to serve as Town Commissioner until such time as the Board of Supervisors of Elections can call and conduct a special election.

(3) *Powers Vested in Remaining Commissioners.* Until such time as the Governor shall appoint a qualified citizen as set forth above and/or until such time as a special election has been held, the remaining Commissioners shall be vested with all powers vested in the full Board of Commissioners by the Town Charter.

Section 410. Procedure for adoption of ordinances; regular and emergency.

No ordinance shall be passed at the meeting at which it is introduced. At any regular or special meeting of the Commissioners held not less than six (6) nor more than sixty (60) days after the meeting at which the ordinance was introduced, it shall be passed or passed as amended or rejected or its consideration deferred to some specified future date. In case of emergency, the above requirement may be suspended by an unanimous vote when three (3) or more Commissioners are present. An emergency is hereby defined as a situation affecting the general health, safety or welfare of the inhabitants of the Town. Every ordinance, unless it shall be passed as an emergency ordinance, shall be effective at the expiration of twenty (20) calendar days following approval. Every ordinance shall be published in substance at least twice in a newspaper or newspapers having general circulation in the Town of Princess Anne. A true and full copy thereof shall be posted in a conspicuous place in the office of the Commissioners for a period of twenty (20) calendar days following approval. An emergency ordinance shall be effective on the date specified in the ordinance and shall be given the same public notices specified for other ordinances.

Section 411. Veto power.

Neither the President nor any of the other Commissioners shall have the authority to veto or countermand any ordinance, resolution, rule or other legislative action. Each Commissioner shall be entitled to one (1) vote.

Section 412. Referendum.

If, before the expiration of twenty (20) calendar days following approval of any ordinance, a petition is filed with the Town Manager containing the signatures of not less than twenty percent (20%) of the qualified voters of the Town and requesting that the ordinance or any part thereof be submitted to a vote of the qualified voters of the Town for their approval or disapproval, the Commissioners shall have the ordinance or the part thereof requested for referendum submitted to a vote of the qualified voters of the Town at the next regular Town election or, in the Commissioners' discretion, at a special election occurring before the next regular election. No ordinance or the part thereof requested for referendum shall become effective following the receipt of such petition until and unless approved at the election by a majority of the qualified voters voting on the question. An emergency ordinance or the part thereof requested for referendum shall continue in effect for sixty (60) days following receipt of such petition. If the question of approval or disapproval of any emergency ordinance or any part thereof has not been submitted to the qualified voters within sixty (60) days following receipt of the petition, then the operation of the ordinance or the part thereof requested for referendum shall be suspended until approved by a majority of the qualified voters voting on the question at any election. Any ordinance or part thereof disapproved by the voters shall stand repealed. The provisions of this Section shall not apply to any ordinance or part thereof passed under the authority of Section 817 levying property taxes for the payment of indebtedness, but the provisions of this Section shall apply to any ordinance or any part thereof levying special assessment charges under the provisions of Sections 1101 and 1102 of this Charter. The provisions of this Section shall be self-executing, but the Commissioners may adopt ordinances in furtherance of these provisions and not in conflict with them.

Section 413. Filing and maintenance of Town records; transferal.

A. *Ordinances.* Ordinances shall be permanently filed by the Town Manager and shall be kept available for public inspection. The original ordinances shall be kept in a suitable fireproof safe, and an exact copy shall be placed in a book or file to be known as the "ordinance book," which said book shall be properly indexed and open to public inspection at all reasonable hours. Other copies of ordinances may, at the discretion of the Commissioners, be placed elsewhere for safe keeping.

B. *Town Manager's records.* All books, documents and papers pertaining to the office of Town Manager of Princess Anne shall be the property and records of the Town of Princess Anne and shall be kept in the Town Office or other place of safety from fire and burglary and other hazards and shall at all reasonable time be subject to reasonable examination by the Commissioners of Princess Anne, the Grand Jury of Somerset County or of any other

court of competent jurisdiction and/or taxpayers of Princess Anne, and all said books, documents and papers, accounts, credits and deposits belonging to said office of the Town Manager of Princess Anne or which are in the Town Manager's custody shall be delivered up and transferred to the Commissioners upon request and/or to any successor in the Town Manager's office when such successor is duly appointed and qualified.

ARTICLE V General Powers

Section 501. General and specific powers.

A. *General powers.* The Commissioners shall have the power to pass all such ordinances, resolutions, rules and regulations not contrary to the Constitution and laws of the State of Maryland or of the United States of America or the Town Charter as they may deem necessary for the good government of the Town; for the protection and preservation of the property, rights and privileges of the Town and of the citizens of the Town; for the preservation of peace and good order; for securing persons and property from violence, danger and destruction; and for the protection and promotion of the health, safety, comfort, convenience, welfare and happiness of the residents of the Town and visitors thereto and sojourners therein.

B. *Specific powers.* The Commissioners shall have, in addition to the powers set forth in Subsection A above, power to pass ordinances not contrary to the laws and Constitution of the State of Maryland or the United States of America or this Charter for the following specific purposes:

(1) *Advertising.* To provide for advertising for the purposes of the Town for printing and publishing statements as to the business of the Town.

(2) *Aisles.* To regulate and prevent the obstruction of aisles in public halls, churches and places of amusement and to regulate the construction and operation of the doors and means of egress therefrom.

(3) *Amusements.* To provide, in the interest of the public welfare, for licensing, regulating or restraining theatrical or other public amusements.

(4) *Appropriations.* To appropriate municipal moneys for any purpose within the powers of the Commissioners.

(5) *Auctioneers.* To regulate the sale of all kinds of property at auction within the Town and to license auctioneers.

(6) *Band.* To establish a municipal band, symphony orchestra or other musical organization and to regulate, by ordinance, the conduct and policies thereof.

(7) *Billboards.* To license, tax and regulate, restrain or prohibit the erection or maintenance of billboards within the Town of Princess Anne and the placing of signs, bills and posters of every kind and description on any building, fence, post, billboard, pole or other place within the Town.

(8) *Bridges.* To erect and maintain bridges.

(9) *Buildings.* To make reasonable regulations in regard to buildings and signs to be erected, constructed or reconstructed in the Town and to grant building permits for the same; to formulate or adopt a Building Code and to appoint a Building Inspector and to require reasonable charges for permits and inspections; and to authorize and require the inspection of all buildings and structures and to authorize the condemnation thereof, in whole or in part, when dangerous or insecure and to require that such buildings and structures be made safe or be taken down.

(10) *Cemeteries.* To regulate or prohibit the interment of bodies within the municipality and to regulate cemeteries.

(11) *Codification.* To provide for the codification of all ordinances which have been or may hereafter be passed.

(12) *Community services.* To provide, maintain and operate community and social services for the preservation and promotion of the health, recreation, welfare and enlightenment of the inhabitants of the Town.

(13) *Cooperative activities.* To make agreements with other municipalities, counties, districts, bureaus, commissions and governmental authorities for the joint performance of or for cooperation in the performance of any governmental functions.

(14) *Curfew.* To prohibit minors from being in the streets, lanes, alleys or public places at unreasonable hours of the night.

(15) *Dangerous conditions.* To compel persons about to undertake dangerous improvements to execute bonds with sufficient sureties conditioned that the owner or contractor will pay all damages resulting from such work which may be sustained by any persons or property.

(16) *Departments.* To create, change and abolish offices, departments or agencies, other than the offices, departments and agencies established by this Charter, and to assign additional functions or duties to offices, departments or agencies established by this Charter, but not including the power to discontinue or assign to any other office, department or agency any function or duty assigned by this Charter to a particular office, department or agency.

(17) *Disorderly houses.* To suppress bawdy houses, disorderly houses and houses of ill fame.

(18) *Dogs.* To regulate the keeping of dogs in the Town and to provide for the licensing and taxing of the same and to provide for the disposition of homeless dogs and dogs on which no license fee or taxes are paid.

(19) *Elevators.* To require the inspection and licensing of elevators and to prohibit their use when unsafe or dangerous or without a license.

(20) *Explosives.* To regulate or prevent the storage of gunpowder, oil or any other explosive or combustible matter and to regulate or prevent the use of firearms, fireworks, bonfires, explosives or any other similar things which may endanger persons or property.

(21) *Filth.* To compel the occupant of any premises, building or outhouse situated in the Town, when the same has become filthy or unwholesome, to abate or cleanse the condition and, after reasonable notice to the owners or occupants, to authorize such work to be done by the proper officers and to assess the expense thereof against such property, making it collectible by taxes, or against the occupant or occupants.

(22) *Finances.* To levy, assess and collect ad valorem property taxes; to expend municipal funds for any public purpose; and to have general management and control of the finances of the Town.

(23) *Fire.* To suppress fires and prevent the dangers thereof and to establish and maintain a Fire Department; to contribute funds to volunteer fire companies serving the Town; to inspect buildings for the purpose of reducing fire hazards, to issue regulations concerning fire hazards and to forbid and prohibit the use of fire-hazardous buildings and structures permanently or until the conditions of Town fire hazard regulations are met; to install and maintain fire plugs where and as necessary and to regulate their use; and to take all other measures necessary to control and prevent fires in the Town.

(24) *Food.* To inspect and to regulate the sale of and require the condemnation of unwholesome food products.

(25) *Franchises.* To grant and regulate franchises to water companies, electric light companies, gas companies, telegraph and telephone companies, transit companies, taxicab companies and any others which may be deemed advantageous and beneficial to the Town, subject, however, to the limitations and provisions of Article 23 of the Annotated Code of Maryland. No franchise shall be granted for a longer period than fifty (50) years.

(26) *Gambling.* To restrain and prohibit gambling.

(27) *Garbage.* To prevent the deposit of any unwholesome substance, either on private or public property, and to compel its removal to designated points and to require slops, garbage, ashes and other waste or other unwholesome materials to be removed to designated points or to require the occupants of the premises to place them conveniently for removal.

(28) *Grants-in-aid.* To accept gifts and grants of federal or of state funds from the federal or state governments or any agency thereof and to expend the same for any lawful public purpose agreeably to the conditions under which the gifts or grants were made.

(29) *Hawkers.* To license, tax, regulate, suppress and prohibit hawkers and itinerant dealers, peddlers, pawnbrokers and all other persons selling any articles, merchandise or services on the streets of the Town or from door to door and to revoke such licenses for cause.

(30) *Health.* To protect and preserve the health of the Town and its inhabitants; to appoint a public health officer and to define and regulate the powers and duties of this office; to prevent the introduction of contagious diseases into the Town; to establish quarantine regulations and to authorize the removal and confinement of persons having contagious or infectious diseases; to prevent and remove all nuisances; and to inspect, regulate and abate any buildings, structures or places which cause or may cause unsanitary conditions or conditions detrimental to health, provided that nothing herein shall be construed to affect in any manner any of the powers and duties of the State Board of Health, the County Board of Health or any public, general or local law relating to the subject of health.

(31) *House numbers.* To regulate the numbering of houses and lots and to compel owners to renumber the same or, in default thereof, to authorize and require the same to be done by the Town at the owner's expense, such expense to constitute a lien upon the property, collectible as tax moneys.

(32) *Jail.* To establish and regulate a station house or lockup for the temporary confinement of violators of the laws and ordinances of the Town or to use the county jail for such purpose.

(33) *Licenses.* Subject to any restriction imposed by the public general laws of the state, to license and regulate all persons beginning or conducting transient or permanent business in the Town for the sale of any goods, wares, merchandise or services; to license and regulate any business, occupation, trade, calling or place of amusement or business; and to establish and collect fees and charges for all licenses and permits issued under the authority of this Charter and to revoke such licenses and permits for cause.

(34) *Liens.* To provide that any valid charges, taxes or assessments made against any real property within the Town shall be liens upon such property, to be collected as municipal taxes are collected.

(35) *Lights.* To provide for the lighting of the Town.

(36) *Livestock.* To regulate and prohibit the running at large of cattle, horses, swine, fowl, sheep, goats, dogs or other animals and to authorize the impounding, keeping, sale and redemption of such animals when found in violation of the ordinance in such cases provided.

(37) *Markets.* To obtain by lease or rent, own, construct, purchase, operate and maintain public markets within the Town.

(38) *Minor privileges.* To regulate or prevent the use of public ways, sidewalks and public places for signs, awnings, posts, steps, railings, entrances, racks, posting handbills and advertisements and display or storage of goods, wares and merchandise.

(39) *Noise.* To regulate or prohibit unreasonable ringing of bells, crying of goods or sounding of whistles and horns.

(40) *Nuisances.* To prevent or abate by appropriate ordinance all nuisances in the Town which are so defined by common law, by this Charter or by the laws of the State of Maryland, whether the same are herein specifically named or not and to regulate, to prohibit, to control the location of or to require the removal from the Town of all trading in, handling of or manufacture of any commodity which is or may become offensive, obnoxious or injuries [injurious] to the public comfort or health. In this connection, the Town may regulate, prohibit, control the location of or require the removal from the Town of such things as stockyards, slaughterhouses, cattle or hog pens, poultry houses, tanneries, renderies and junkyards. This listing is by way of enumeration, not limitation.

(41) *Obstructions.* To remove all nuisances and obstructions from the streets, lanes and alleys and from any lots adjoining thereto or any other places within the limits of the Town.

(42) *Parking facilities.* To license and regulate and to establish; obtain by purchase, by lease or by rent; own; construct; operate; and maintain parking lots and other facilities for both on-street and off-street parking.

(43) *Parking meters.* To install parking meters on the streets and public places of the Town in such places as they shall, by ordinance, determine and, by ordinance, to prescribe rates and provisions for the use thereof, except that the installation of parking meters on any street or road maintained by the State Highway Administration of Maryland must first be approved by the administration.

(44) *Parks and recreation.* To establish and maintain public parks, gardens, playgrounds and other recreational facilities and programs to promote the health, welfare and enjoyment of the inhabitants of the Town.

(45) *Police force.* To establish, operate and maintain a police force. All Town policemen shall, within the municipality have the powers and authority of constables in this state.

(46) *Police powers.* To prohibit, suppress and punish, within the Town, all vice, gambling and games of chance; prostitution and solicitation therefor and the keeping of bawdy house and houses of ill fame; all tramps and vagrants; all disorder, disturbances, annoyances, disorderly conduct, obscenity, public profanity and drunkenness.

(47) *Property.* To acquire, by conveyance, purchase or gift, real or leasable property for any public purposes; to erect buildings and structures thereon for the benefit of the

Town and its inhabitants, to convey any real or leasehold property when on [no] longer needed for the public use, after having given at least twenty (20) days' public notice of the proposed conveyance; and to control, protect and maintain public buildings, grounds and property of the Town.

(48) *Quarantine*. To establish quarantine regulations in the interests of the public health.

(49) *Regulations*. To adopt, by ordinance, and enforce within the corporate limits police, health, sanitary, fire, building, plumbing, traffic, speed, parking and other similar regulations not in conflict with the laws of the State of Maryland or with this Charter.

(50) *Sidewalks*. To regulate the use of sidewalks and all structure [structures] in, under or above the same; to require the owner or occupant of premises to keep the sidewalks in front thereof free from snow or other obstructions; and to prescribe hours for cleaning sidewalks.

(51) *Sweepings*. To regulate or prevent the throwing or depositing of sweepings, dust, ashes, offal, garbage, paper, handbills, dirty liquids or other unwholesome materials into any public way or onto any public or private property in the Town.

(52) *Taxicabs*. To license, tax and regulate public hackmen, taxicabmen, draymen, drivers, cabmen, porters and expressmen and all other persons pursuing like occupations.

(53) *Vehicles*. To regulate and license wagons and other vehicles not subject to the licensing powers of the State of Maryland.

(54) *Voting machines*. To purchase, lease, borrow, install and maintain voting machines for use in Town elections.

(55) *Zoning*. To exercise the powers as to planning and zoning conferred upon municipal corporations generally in Article 66B of the Annotated Code of Maryland, subject, however, to the limitations and provisions of said Article.

C. *Saving clause*. The enumeration of powers in this Section is not to be construed as limiting the powers of the Town to the several subjects mentioned.

Section 502. Exercise of powers.

For the purpose of carrying out the powers granted in this Article or elsewhere in the Town Charter, the Commissioners may pass all necessary ordinances and resolutions. All the powers of the Town shall be exercised in the manner prescribed by this Charter or, if the manner is not prescribed, then in such manner as may be prescribed by ordinance.

Section 503. Enforcement; violations and penalties.

To ensure the observance of the ordinances of the Town, the Commissioners shall have the power to provide that violation thereof shall be a misdemeanor or an infraction and shall have the power to affix thereto penalties as provided in and pursuant to Section 1404A. Any person subject to any fine, forfeiture or penalty by virtue of any ordinance or resolution passed under authority of the Town Charter shall have the right of appeal within ten (10) days after the conviction thereof to the Circuit Court of Somerset County. The Commissioners may provide that where the violation is of a continuing nature and is persisted in, a conviction for one (1) violation shall not be a bar to a conviction for a continuation of the offense subsequent to the first or any succeeding conviction.

ARTICLE VI

Town Manager

Section 601. Appointment and employment.

A. The Commissioners of the Town of Princess Anne shall appoint and enter into a contract of employment with a Town Manager and prescribe the duties for the position. The Town Manager shall exercise no legislative functions.

B. The Town Manager shall be directly responsible to the Commissioners for all actions taken by him or by her in the name of the Town of Princess Anne and shall remain in office at the pleasure of the majority of the Commissioners and in accordance with the terms of the contract of employment with said Commissioners.

Section 602. Qualifications; bond.

The Town Manager must be twenty-one (21) years of age or older and must be a citizen of the United States of America. The Town Manager of the Town of Princess Anne shall, immediately after appointment as such and before entering upon any official duties, execute to the Town of Princess Anne a corporate bond in an amount not less than twenty-five thousand dollars (\$25,000.), the premium of said bond to be paid from the treasury of the Town of Princess Anne. The bond shall be conditioned upon the good and faithful performance by the Town Manager of all the duties pertaining to the office of Town Manager imposed by the Charter, the ordinances, the resolutions and the rules of the Commissioners and upon the Town Manager's accounting for all monies belonging to said Town and to paying over the same to the Town of Princess Anne upon presentation of their warrant or voucher therefor from the Commissioners or to the Town Manager's successor in office.

Section 603. Compensation.

The Town Manager shall receive an annual salary as set from time to time by a resolution passed by the Commissioners in the regular course of business.

Section 604. Powers and duties.

The Town Manager shall have the following powers and duties:

A. *Ordinances.* To see that the ordinances of the Town are faithfully executed the Town Manager shall be the chief executive officer and the head of the administrative branch of the Town government[.]

B. *Appointments.* To appoint the heads of all offices and departments of the Town government as established by this Charter or by ordinance. All office and department heads shall serve at the pleasure of the Town Manager. All subordinate officers and employees of the offices and departments of the Town government shall be appointed and removed at the Town Manager's discretion or in accordance with the rules and regulations in any merit system which may be adopted by the Commissioners.

C. *Reports.* During the month of May of each year and at such other times as requested by the Commissioners, to report to the Commissioners the condition of municipal affairs and to make such recommendations as deemed proper for the public good and welfare of the Town.

D. *Budget.* To have complete supervision of the financial administration of the Town government. The Town Manager shall annually prepare or supervise the Preparation of a budget, said budget to be submitted to the Commissioners not later than the last Tuesday in May of each year, covering the fiscal year beginning July 1 following. The Town Manager shall supervise the administration of the budget as adopted by the Commissioners. In the event of failure of the Commissioners to adopt a budget by the beginning of the fiscal year, the Town Manager shall continue normal operations of the Town as covered in the preceding budget and within the estimated revenues. The Town Manager shall supervise the disbursement of all monies and have control over all expenditures to ensure the total budget appropriations are not exceeded.

E. *Accounting system.* To maintain a general accounting system for the Town in such form as the Commissioners may require, not contrary to state law.

F. *Assessments.* To ascertain that all taxable property within the Town is assessed for taxation.

G. *Revenues.* To collect all taxes, special assessments, license fees, liens and all other revenues, including utility revenues, of the Town and all other revenues for whose collection the Town is responsible.

H. *Money and securities.* To have custody of all public moneys belonging to or under the control of the Town, except as to funds under the control of any trustee or group or trustees. The Town Manager shall have custody of all bonds and notes of the Town.

I. *Financial report.* To submit, at the end of each fiscal year and at such other times as requested by the Commissioners, a complete financial report to the Commissioners.

J. *Financial duties.* To do such other things in relation to the fiscal or financial affairs of the Town as the Commissioners may require or as may be required elsewhere in the Town Charter or by ordinance.

K. *Commission meetings.* The Town Manager shall serve as Clerk to the Commissioners. The Town Manager should attend every meeting of the Commissioners and keep a full and accurate account of the proceedings of the Commissioners.

L. *Other duties.* To have such other powers and perform such other duties as may be prescribed by this Charter or as may be required by the Commissioners, not inconsistent with this Charter or the laws of the State of Maryland.

Section 605. Maintenance of office; expenses.

The Commissioners of Princess Anne shall appoint and furnish the Town Manager of Princess Anne an office in a suitable place and provide the necessary furniture, fuel, janitor and fire protection for the records and books and whatever other necessary expenses said Town Manager of Princess Anne may necessarily incur in the performance of any official duties.

ARTICLE VII

Personnel

Section 701. Town Attorney.

The Commissioners shall appoint a Town Attorney. The Town Attorney must be a member of the bar of the Maryland Court of Appeals. The Town Attorney shall be the legal adviser of the Town and shall perform such duties in this connection as may be required by the Town Manager or the Commissioners. The compensation of this office shall be determined by the Commissioners. The Commissioners shall have the power to employ such legal consultants as they deem necessary from time to time.

Section 702. Employment of officers and employees authorized.

The Town shall have the power to employ such officers and employees as it deems necessary to execute the powers and duties provided by this Charter or other state law and to operate the Town government.

Section 703. Classified and unclassified service.

The civil service of the Town shall be divided into unclassified and classified service.

A. *Unclassified service.* The unclassified service shall comprise the following offices and positions, which shall not be included within the merit system:

(1) The Commissioners and persons appointed to fill vacancies as Commissioners.

(2) The Town Manager and the Town Attorney.

(3) The heads of all offices, departments and agencies and members of Town boards and commissions.

(4) Part-time, temporary and unpaid offices and positions.

B. *Classified service.* The classified service shall comprise all positions not specifically included by this Section in the unclassified service. All offices and positions included in the classified service shall be subject to any merit system rules and regulations which may be adopted.

Section 704. Merit system.

A. *Adoption of rules and regulations.* The Town may provide, by ordinance, for appointments and promotions in the administrative service on the basis of merit and fitness. To carry out this purpose, the Commissioners shall have the power to adopt such rules and regulations governing the operation of a merit system as they deem desirable or necessary. Among other things, these rules and regulations may provide for competitive examinations, the use of eligible lists, a classification plan, a compensation plan, a probation period, appeals by employees included within the classified service from dismissal or other disciplinary action and vacation and sick leave regulations. The Town may request and avail itself of the facilities of the Commissioner of State Personnel for the administration of its merit system as provided in state law.

B. *Prohibited acts.* If a merit system is adopted, the following acts are prohibited:

(1) No person in the classified service of the Town or seeking admission thereto shall be appointed, promoted, demoted, removed or in any way favored or discriminated against because of political or religious opinions or affiliations or any other factors not related to ability to perform the work.

(2) No person shall willfully or corruptly commit or attempt to commit any fraud preventing the impartial execution of the personnel provisions of this Charter or of the rules and regulations made thereunder.

(3) No officer or employee in the classified service of the Town shall continue in such position after becoming a candidate for nomination or election to any public office.

(4) No person seeking appointment to or promotion in the classified service of the Town shall either, directly or indirectly, give, render or pay any money, service or other valuable thing to any person for or on account of or in connection with that appointment, proposed appointment, promotion or proposed promotion.

(5) No person shall orally, by letter or otherwise solicit or be in any manner concerned in soliciting any assessment, subscription or contribution for any political party or political purpose whatever from any person holding a position in the classified service of the Town.

(6) No person holding a position in the classified service of the Town shall make any contribution to the campaign funds of any political party or any candidate for public office or take any part in the management, affairs or political campaign of any political party or candidate for public office further than in the exercise of that person's right as a citizen to express opinions and to cast votes.

C. *Violations and penalties.* Any person who, alone or with others, willfully or corruptly violates any of the provisions of this Section shall be guilty of a misdemeanor and shall, upon conviction thereof, be subject to a penalty as provided in Section 1404A of the Charter. Any person who is convicted under this Section shall, for a period of five (5) years, be ineligible for appointment to or employment in a position in the Town service and shall, if that person is an officer or employee of the Town, immediately forfeit the office or position.

Section 705. Retirement system.

The Town shall have the power to do all things necessary to include its officers and employees or any of them within any retirement system or pension system under the terms of which they are admissible and to pay the employer's share of the cost of any such retirement or pension system out of the general funds of the Town.

Section 706. Compensation of employees.

The compensation of all employees of the Town, except that of the Town Attorney, shall be set by the Town Manager in amounts limited by job classification rates and total amounts in the approved budget, subject to review and change by the Town Commissioners.

Section 707. Benefit programs.

The Town is authorized and empowered, by ordinance, to provide for or participate in hospitalization or other forms of benefit or welfare programs for its officers and employees and to expend public moneys of the Town for such programs.

ARTICLE VIII

Finance

Section 801. Fiscal year.

The Town shall operate on an annual budget. The fiscal year of the Town shall begin on the first day of July and shall end on the last day of June in each year. Such fiscal year shall constitute the budget year and the accounting year.

Section 802. Budget.

The Town Manager, on such date as the Commissioners, by ordinance, shall deem, but not later than the last Tuesday in May of each year, shall submit a budget to the Commissioners. The budget shall provide a complete financial plan for the budget year and shall contain estimates of anticipated revenues and proposed expenditures for the coming fiscal year. The total of anticipated revenues shall equal or exceed the total of proposed expenditures. The budget shall be a public record in the office of the Town Manager open to public inspection during normal business hours.

Section 803. Adoption of budget.

Before adopting the budget, the Commissioners shall hold a public hearing thereon after one (1) notice thereof in some newspaper or newspapers having a general circulation in the Town of Princess Anne. The Commissioners may insert new items or may increase or decrease the items of the budget. Where the Commissioners shall increase the total proposed expenditures, they shall also increase the total anticipated revenues in an amount at least equal to the total proposed expenditures. The budget shall be prepared and adopted in the form of an ordinance. A favorable vote of a majority of the Commissioners shall be necessary for adoption.

Section 804. Appropriations.

No public money may be expended without having been appropriated by the Commissioners. From the effective date of the budget, the several amounts stated therein as proposed expenditures shall be and become appropriated to the several obligations and purposes named therein, except as modified by the provisions of Section 805 of the Town Charter.

Section 805. Transfer of funds.

The Town Manager may transfer budget funds within major appropriations and, with the approval or upon the authority of the Commissioners, may transfer budget funds between and among major appropriations.

Section 806. Overexpenditures.

No employee or elected official of the Town shall, during any budget year, expend or contract to expend any money or incur any liability or enter into any contract which, by its terms,

involves the expenditure of money for any purpose in excess of the amounts appropriated for or transferred to that general classification of expenditure pursuant to the Town Charter. Any contract, verbal or written, made in violation of the Town Charter shall be null and void. Nothing in this Section contained, however, shall prevent the making of contracts or the spending of money for capital improvements to be financed, in whole or in part, by the issuance of bonds or by moneys to be borrowed for that specific purpose, nor the making of contracts of lease or for services for a period exceeding the budget year in which such contract is made when such contract is otherwise permitted by law.

However, total appropriations can be increased by the Reserved portions of Fund Balance, except the Reserve for Prepaid Expenses cannot increase Total appropriations because of its non-monetary nature and lack of liquidity.

Total Appropriations can be further increased by the designated portions of Fund Balance if extraordinary circumstances develop within the current year to cause the use of the following Unreserved Fund Balances[:]

1. Designated Fund Balance for Future Financial Resources.
2. Designated Fund Balance for the Second Succeeding Fiscal Year.

The Use of Designated Fund Balances requires a Public Hearing to consider all options available to meet an extraordinary circumstance that has developed involving the Town's Financial Resources. (Res. No. 1993-04, 1-25-94.)

Section 807. Disposition of Unreserved Undesignated funds.

All appropriations shall lapse at the end of the budget year to the extent that they shall not have been expended or lawfully reserved or designated. The Commissioners may at their discretion reserve surplus funds for the purpose of emergencies, or to be designated for capital improvements. This reserve shall not exceed twenty (20) percent of total General Fund Assets. Any unreserved and undesignated funds shall be considered an undesignated fund balance at the end of the budget year and shall be included among the anticipated revenues for the second succeeding budget year. (Res. No. 1993-05, 1-25-94.) (See note (5))

Section 808. Disbursement of funds.

A. All checks issued in payment of salaries or other municipal obligations shall be issued by the Town Manager and shall be signed and countersigned by any two (2) of the following:

- (1) Town Manager.
- (2) Town Bookkeeper[.]
- (3) President of the Commissioners.

B. The Commissioners may, for cause, rescind this power at any time and provide for appropriate means for disbursement of funds.

Section 809. Determination of taxable property.

All real property and all tangible personal property within the corporate limits of the Town, or personal property which may have a situs there by reason of the residence of the owner therein shall be subject to taxation for municipal purposes, and the assessment used shall be the same as that for county taxes. No authority is given by this Section to impose taxes on any property which is exempt from taxation by any Act of the General Assembly.

Section 810. Determination of tax levy.

From the effective date of the budget, the amount stated therein as the amount to be raised by the property tax shall constitute a determination of the amount of the tax levy in the corresponding tax year.

Section 811. Notice of tax levy; tax bills.

Immediately after the levy is made by the Commissioners in each year, the Town Manager shall give notice of the making of the levy by at least two (2) publications thereof in some newspaper or newspapers published in the Town and having general circulation therein and by posting a notice thereof in some public place or places in the Town. The Town Manager shall make out and mail or deliver in person to each taxpayer or agent of a taxpayer at the last known address a bill or account of the taxes due from that taxpayer. This bill or account shall contain a statement of the amount of real and personal property with which the taxpayer is assessed, the rate of taxation, the amount of taxes due and the date on which the taxes will bear interest. Failure to give or receive any notice required by this Section shall not relieve any taxpayer of the responsibility to pay on the dates established by this Charter all taxes levied on property owned by the taxpayer.

Section 812. Overdue taxes.

The taxes provided for in Section 810 of this Charter shall be due and payable on the first day of July in the year for which they are levied and shall be overdue and in arrears on the first day of the following October. They shall bear interest while in arrears at the rate of one and one-half percent (1 ½%) for each month or fraction of a month until paid. All taxes not paid and in arrears after the first day of the following January shall be collected as provided in Section 813 of the Town Charter.

Section 813. Sale of tax-delinquent property.

A. *List of tax-delinquent property.* A list of all property on which the Town taxes have not been paid and which are in arrears as provided by Section 812 of the Town Charter shall be compiled by the Town Manager. The taxes due thereon shall be collected by the Town

Manager in the manner and according to the procedure set forth by the laws of the State of Maryland and of Somerset County providing for the sale of tax–delinquent property by the County Treasurer.

B. *Tax sale deed.* When the sale of Town real estate is made in conformity to the provisions of this Article and said sale has been duly ratified by the Circuit Court for Somerset County, the Commissioners of Princess Anne shall give a deed conveying said property to the purchaser thereof, and it shall not be necessary in said deed to recite all the proceedings contained in the report of sale, but it shall be sufficient merely to give in said deed the number of the Chancery case in which the sale is reported and make it a part of the deed for a more full and complete description of the proceedings and property, but it shall be necessary for said deed to show the former owner of the property it conveys. The Clerk of the Circuit Court for Somerset County, in whose office the same must be recorded, shall index it not only in the name of the grantor and grantee, but also in the name of and as from the former owner to the grantee.

C. *Claims for uncollected taxes.* All claims for erroneous, insolvent or uncollectible tax bills for which said Town Manager of Princess Anne shall claim a credit shall be presented to said Commissioners of Princess Anne before or at the time of his/her yearly settlement with them, and in no case shall said Commissioners allow credit for erroneous, insolvent or uncollectible taxes, unless satisfactory proof shall be produced under oath that the same are not collectible and that the land is not worth the taxes.

Section 814. Accounting of fees.

All fees received by an officer or employee of the Town government in the official capacity of the position shall belong to the Town government and be accounted for to the Town.

Section 815. Annual audit.

The financial books and accounts of the Town shall be audited annually as required by Sections 35 to 41, inclusive, of Article 19 of the Annotated Code of Maryland, 1957 Edition, as amended.

Section 816. Borrowing power.

A. *Authorization.* The Commissioners of Princess Anne are hereby authorized to borrow from time to time upon the faith and credit of said municipal corporation sums not to exceed twenty percent (20%) of the annual assessable tax base of the Town in total at any one time outstanding at a rate of interest not exceeding the prevailing interest rate and to execute the promissory note or notes of said Commissioners of Princess Anne for any amount so borrowed, to be signed by the President of said Commissioners and countersigned by the Town Manager, to mature not later than forty (40) years from the date of the execution of said notes, but said money shall be borrowed and said notes shall be issued only in the manner and for the purposes in this Charter provided.

B. *Repayment.* At the time of issuing any promissory note or notes as provided by Subsection A of this Section, the Commissioners of Princess Anne shall make provisions for the payment and liquidation of said notes and interest either from the current tax receipts of said Town or from the water rents or other sources of revenue available to said Commissioners of Princess Anne.

Section 817. Payment of indebtedness.

The power and obligation of the Town to pay any and all bonds, notes or other evidences of indebtedness issued by it under the authority of this Charter shall be unlimited, and the Town shall levy ad valorem taxes upon all the taxable property of the Town for the payment of such bonds, notes or other evidences of indebtedness and interest thereon without limitation of amount. The faith and credit of the Town is hereby pledged for the payment of the principal of and the interest on all bonds, notes or other evidences of indebtedness hereafter issued under the authority of this Charter, whether or not such pledge is stated in the bonds, notes or other evidences of indebtedness or in the ordinance authorizing their issuance.

Section 818. Continuance of prior issued evidences of indebtedness.

All bonds, notes or other evidences of indebtedness validly issued by the Town previous to May 28, 1958, and all ordinances passed concerning them are hereby declared to be valid, legal and binding and of full force and effect as if herein fully set forth.

Section 819. Purchasing procedures; contracts.

All purchases and contracts for the Town government shall be made by the Town Manager. The Commissioners may provide, by ordinance, for rules and regulations regarding the use of competitive bidding and contracts for all Town purchases and contracts. All expenditures for supplies, materials, equipment, construction of public improvements or contractual services involving more than twenty-five thousand dollars (\$25,000.) shall be made on written contract. The Town Manager shall be required to advertise for sealed bids, in such manner as may be prescribed by ordinance, for all such written contracts. Such written contracts shall be awarded to the bidder who offers the lowest or best bid, quality of goods and work, time of delivery or completion and responsibility of bidders being considered. All such written contracts shall be approved by the Commissioners before becoming effective. The Town Manager shall have the right to reject all bids and re-advertise. The Town at any time, in its discretion, may employ its own forces for the construction or reconstruction of public improvements without advertising for or re-advertising for or receiving bids. All written contracts may be protected by such bonds, penalties and conditions as the Town may require. (Res. No. 2010-09; 06-29-10.)

ARTICLE IX Public Ways and Sidewalks

Section 901. Definitions.

The term “public ways,” as used in this Charter, shall include all streets, avenues, roads, highways, public thoroughfares, lanes and alleys.

Section 902. Control and maintenance of public ways.

The Town shall have control of all public ways in the Town, except such as may be under the jurisdiction of the Maryland State Highway Administration. Subject to the laws of the State of Maryland and this Charter, the Town may do whatever it deems necessary to establish, operate and maintain in good condition the public ways of the Town.

Section 903. Powers of Town regarding public ways.

The Town shall have the power to:

- A. Establish, regulate and change from time to time the grade lines, width and construction materials of any Town public way or part thereof, bridges, curbs and gutters.
- B. Grade, lay out, construct, open, extend and make new Town public ways.
- C. Grade, straighten, widen, alter, improve or close up any existing Town public way or part thereof.
- D. Pave, surface, repave or resurface any Town public way or part thereof.
- E. Install, construct, reconstruct, repair and maintain curbs and/or gutters along any Town public way or part thereof.
- F. Construct, reconstruct, maintain and repair bridges.
- G. Name Town public ways.
- H. Have surveys, plans, specifications and estimates made for any of the above activities or projects or parts thereof.

Section 904. Powers of Town regarding sidewalks.

The Town shall have the power to:

- A. Establish, regulate and change from time to time the grade lines, width and construction materials of any sidewalk or part thereof on Town property along any public way or part thereof.

B. Grade, lay out, construct, reconstruct, pave, repave, repair, extend or otherwise alter sidewalks on Town property along any public way or part thereof.

C. Require that the owners of any property abutting on a sidewalk keep the sidewalk clear of all ice, snow and other obstructions.

D. Plant trees along the sidewalks.

E. Remove obstruction from the sidewalks and to remove trees which become dangerous due to disease or damage.

F. Require and order the owner of any property abutting on any public way in the Town to perform any projects authorized by this Section at the owner's expense according to reasonable plans and specifications. If, after due notice, the owner fails to comply with the order within a reasonable time, the Town may do the work, and the expense shall be a lien on the property and shall be collectible in the same manner as are Town taxes or by suit at law.

G. Delegate to any duly constituted authority, commission or department any or all of the powers contained in this Section.

ARTICLE X

Water and Sewers

Section 1001. Powers of Town.

The Town shall have the power to:

A. Construct, operate and maintain a water system and water plant.

B. Construct, operate and maintain a sanitary sewerage system and a sewage treatment plant.

C. Construct, operate and maintain a stormwater drainage system and stormwater sewers.

D. Construct, maintain, reconstruct, enlarge, alter, repair, improve or dispose of all parts, installations and structures of the above plants and systems.

E. Have surveys, plans, specifications and estimates made for any of the above plants and systems or parts thereof or the extension thereof.

F. Do all things it deems necessary for the efficient operation and maintenance of the above plants and systems.

Section 1002. Submission of plans required; written approval.

Any public service corporation, company or individual, before beginning any construction of or placing of or changing the location of any main, conduit, pipe or other structure in the public ways of the Town, shall submit plans to the Town and obtain written approval upon such conditions and subject to such limitations as may be imposed by the Town. If any unauthorized main, conduit, pipe or other structure interferes with the operation of the water, sewerage or stormwater systems, the Town may order it removed.

Section 1003. Removal or adjustment of obstructions.

All individuals, firms or corporations having mains, pipes, conduits or other structures in, on or over any public way in the Town or in the county which impede the establishment, construction or operation of any Town sewer or water main shall, upon reasonable notice, remove or adjust the obstructions at their own expense to the satisfaction of the Town. If necessary to carry out the provisions of this Section, the Town may use its condemnation powers provided in Section 1202 of the Charter. Any violation of an ordinance passed under the provisions of this Section may be made a misdemeanor.

Section 1004. Right of entry on county public ways.

The Town may enter upon or do construction in, on or over any county public way for the purpose of installing or repairing any equipment or doing any other things necessary to establish, operate and maintain the water system, water plant, sanitary sewerage system, sewage treatment plant or stormwater sewers provided for in this Charter. Unless required by the county, the Town need not obtain any permit or pay any charge for these operations, but it must notify the county of its intent to enter on the public way and must leave the public way in a condition not inferior to that existing before.

Section 1005. Connections to water and sanitary sewer mains.

The Town shall provide a connection with water and sanitary sewer mains for all property abutting on any public way in which a sanitary sewer or water main is laid. When any water main or sanitary sewer is declared ready for operation by the Town, all abutting property owners, after reasonable notice, shall connect all fixtures with the water or sewer main. The Town may require that, if it considers existing fixtures unsatisfactory, satisfactory ones be installed and may require that all cesspools, sinkdrains and privies be abandoned, filled, removed or left in such a way as not to injure public health. All wells found to be polluted or a menace to health may be ordered to be abandoned and closed. Any violation of an ordinance passed under the provisions of this Section may be made a misdemeanor.

Section 1006. Connection charge.

The Town may make a charge, the amount to be determined by the Commissioners, for each connection made to the Town's water or sewer mains. This charge shall be uniform

throughout the Town, but may be changed from year to year. Arrangements for the payment of this charge shall be made before the connection is made.

Section 1007. Prevention of waste or improper use.

In order to prevent any leakage or waste of water or other improper use of the Town's water system or sewage disposal system, the Town may require such changes in plumbing, fixtures or connections as it deems necessary to prevent such waste or improper use.

Section 1008. Operation and maintenance of private systems.

The Town may, by ordinance, provide that no water supply, sewerage or stormwater drainage system and no water mains, sewers, drains or connections therewith shall be constructed or operated by any person or persons, firm, corporation, institutions or community, whether upon private premises or otherwise, and may provide that cesspools or other private methods of sewage disposal shall be operated and maintained in such a manner that they do not and will not be likely to affect adversely the public comfort and health, and any cesspool or other private method of sewage disposal affecting or likely to affect adversely the public comfort and health may be deemed a nuisance and may be abated by the Town. Any violation of an ordinance passed under the provisions of this Section may be made a misdemeanor.

Section 1009. Extension of systems beyond Town limits.

The Town shall have the power to extend its water or sewerage systems beyond the Town limits.

Section 1010. Right of entry for access to water or sewer installations.

Any employee or agent of the Town, while in the necessary pursuit of official Town duties with regard to the water or sewage disposal systems operated by the Town, shall have the right of entry, for access to water or sewer installations, at all reasonable hours and after reasonable advance notice to the owner, tenant or person in possession, upon any premises and into any building in the Town or in the county served by the Town's water or sewage disposal system. Any restraint or hindrance offered to the entry by any owner, tenant or person in possession or the agent of any of them may, by ordinance, be made a misdemeanor.

Section 1011. Pollution of water supply prohibited.

No person shall do anything which will discolor, pollute or tend to pollute any water used or to be used in the Town water supply system. Any violation of the provisions of this Section shall be a misdemeanor.

Section 1012. Contract for water or sewage removal.

The Town, if it deems it advisable, may contract with any party or parties, inside or outside the Town, to obtain water or to provide for the removal of sewage.

Section 1013. Recognition of Water and Sewer Authority.

The existence, authority, rights, privileges, duties and obligations of the Princess Anne Water and Sewer Authority is hereby expressly recognized.

Section 1014. Service charges.

The Town shall have the power to charge and collect such service rates, water rents, ready-to-serve charges or other charges as it deems necessary for water supplied and for the removal of sewage. These charges are to be billed and collected by the Town Manager, and if bills are unpaid within thirty (30) days, the service may be discontinued. All charges shall be a lien on the property, collectible in the same manner as Town taxes or by suit at law.

Section 1015. Applicability of provisions. (See note (3))

The provisions of this Article shall not extend to any Town located in a sanitary district or special tax area or district authorized to discharge the powers provided in this Article as to the particular powers included in the authorization.

ARTICLE XI

Special Assessments

Section 1101. Special assessment for special benefits.

The Town shall have the power to levy and collect taxes in the form of special assessments upon property in a limited and determinable area for special benefits conferred upon the property by the installation of construction of water mains, sanitary sewer mains, stormwater sewers, curbs and gutters and by the construction and paving of public ways and sidewalks or parts thereof and to provide for the payment of all or any part of the above projects out of the proceeds of such special assessment. The cost of any project to be paid, in whole or in part, by special assessments may include the direct cost thereof; the cost of any land acquired for the project; the interest on bonds, notes or other evidences of indebtedness issued in anticipation of the collection of special assessments; a reasonable charge for the services of the administrative staff of the Town; and any other item of cost which may reasonably be attributed to the project.

Section 1102. Procedure.

The procedure for special assessments, wherever authorized in this Charter, shall be as follows:

A. *Cost.* The cost of the project being charged for shall be assessed according to the front-foot rule of apportionment or some other equitable basis determined by the Commissioners.

B. *Assessments.* The amount assessed against any property for any project or improvement shall not exceed the value of the benefits accruing to the property therefrom nor shall any special assessment be levied which shall cause the total amount of special assessments levied by the Town and outstanding against any property at any time, exclusive of delinquent installments, to exceed twenty-five percent (25%) of the assessed value of the property after giving effect to the benefit accruing thereto from the project or improvement for which assessed.

C. *Uniformity.* When desirable, the affected property may be divided into different classes to be charged different rates, but, except for this, any rate shall be uniform.

D. *Notification and public hearing.* All special assessment charges shall be levied by the Commissioners by ordinance. Before levying any special assessment charges, the Commissioners shall hold a public hearing. The Town Manager shall cause notice to be given, stating the nature and extent of the proposed project, the kind of materials to be used, the estimate cost in which the assessment may be paid, the method to be used in apportioning the cost and the limits of the proposed areas of assessment. The notice shall also state the time and place at which all persons interested or their agents or attorneys may appear before the Commissioners and be heard concerning the proposed project and special assessment. Such notice shall be given by sending a copy thereof by mail to the owner of record of each parcel of property proposed to be assessed and to the person in whose name the property is assessed for taxation and by publication of a copy of the notice at least once in a newspaper published in the Town of Princess Anne and having general circulation therein. The Town Manager shall present at the hearing a certificate of publication and mailing of copies of the notice, which certificate shall be deemed proof of notice, but failure of any owner to receive the mailed copy shall not invalidate the proceedings. The date of hearing shall be set at least ten (10) and not more than thirty (30) days after the Town Manager shall have completed publication and service of notice as provided in this Section. Following the hearing, the Commissioners, in their discretion, may vote to proceed with the project and may levy the special assessment.

E. *Appeals.* Any interested person feeling aggrieved by the levying of any special assessment under the provisions of this Section shall have the right to appeal to the Circuit Court for the county within ten (10) days after the levying of any assessment by the Commissioners.

F. *Payment of special assessments.* Special assessments may be made payable in annual or more frequent installments over such period of time, not to exceed ten (10) years, and in such manner as the Commissioners may determine. The Commissioners shall determine on what date installments shall be due and payable. Interest may be charged on installments at the rate to be determined by the Commissioners.

G. *Collection of overdue installments.* All special assessment installments shall be overdue six (6) months after the date on which they became due and payable. All special assessments shall be liens on the property, and all overdue special assessments shall be collected in the same manner as Town taxes or by suit at law.

H. *Responsibility for billing and collection.* All special assessments shall be billed and collected by the Town Manager.

ARTICLE XII

Town Property

Section 1201. Acquisition, possession and disposal.

The Town may acquire real, personal or mixed property within or beyond the corporate limits of the Town for any public purpose by purchase, gift, bequest, devise, lease, condemnation or otherwise and may sell, lease or otherwise dispose of any property belonging to the Town. All municipal property, funds and franchises of every kind belonging to or in the possession of the Town, by whatever prior name known, on May 28, 1958, are vested in the Town, subject to the terms and conditions thereof.

Section 1202. Condemnation.

The Town shall have the power to condemn property of any kind or interest therein or franchise connected therewith in fee or as an easement within or beyond the corporate limits of the Town for any public purpose. Any activity, project or improvement authorized by the provisions of this Charter or any state [State] law applicable to the Town shall be deemed to be a public purpose. The manner of procedure in case of any condemnation proceeding shall be that established in Article 33A of the Annotated Code of the Public General Laws of Maryland, 1957 Edition, as amended, entitled, "Eminent Domain," and other applicable provisions of the Annotated Code of Maryland relating to condemnation or eminent domain. (See note (4))

Section 1203. Town buildings.

The Town shall have the power to acquire, to obtain by lease or rent and to purchase, construct, operate and maintain all buildings and structures it deems necessary for the operation of the Town government.

Section 1204. Protection.

The Town shall have the power to do whatever may be necessary to protect Town property and to keep all Town property in good condition.

ARTICLE XIII

Repealed. See Appendix I.

ARTICLE XIV

General Provisions

Section 1401. Oath of office.

A. Before entering upon the duties of their offices, the Commissioners, the Town Manager, the members of the Board of Supervisors of Elections, the Town Attorney and all other persons elected or appointed to any office of profit or trust in the Town government shall take and subscribe the following oath or affirmation: "I,, do swear (or affirm, as the case may be), that I will support the Constitution of the United States; that I will be faithful and bear true allegiance to the State of Maryland and support the Constitution and laws thereof; and that I will, to the best of my skill and judgment, diligently and faith fully [faithfully], without partiality or prejudice, execute the office of, according to the Constitution and laws of this state [State]."

B. The Commissioners shall take and subscribe this oath or affirmation before the Clerk of the Circuit Court of Somerset County or before one (1) of the sworn deputies of the Clerk. All other persons taking and subscribing the oath shall do so before the President of the Commissioners.

Section 1402. Surety bond.

The Town Manager and such other officers or employees of the Town as the Commissioners or the Town Charter may require shall give a bond in such amount and with such surety as may be required by the Town Charter or, in the absence of any Charter provision, by the Commissioners. The premiums on such bonds shall be paid by the Town.

Section 1403. Continuance of prior rights and obligations.

All right, title and interest held by the Town or any other person or corporation on May 28, 1958, in and to any lien acquired under any prior Charter of the Town are hereby preserved for the holder in all respects as if the Town Charter had not been adopted, together with all rights and remedies in relation thereto. The Town Charter shall not discharge, impair or release any contract, obligation, duty, liability or penalty whatever existing on May 28, 1958. All suits and actions, both civil and criminal, pending or which may hereafter be instituted for causes of action now existing or offenses already committed against any law or ordinance repealed by the Town Charter shall be instituted, proceeded with and prosecuted to final determination and judgment as if the Town Charter had not become effective.

Section 1404. General penalty.

A. *Misdemeanors.* Every act or omission which, by ordinance, is made a misdemeanor under the authority of this Charter, unless otherwise provided, shall be punishable, upon conviction thereof before any Trial Magistrate of Somerset County sitting in Princess Anne or in the Circuit Court for Somerset County, by a fine not to exceed five hundred dollars (\$500.) or by imprisonment for ninety (90) days in the county jail in the discretion of the court of Trial

Magistrate. The party aggrieved shall have the right to appeal as is now provided under the general laws of the state [State]. Where the act or omission is of a continuing nature and is persisted in, a conviction for one (1) offense shall not be a bar to a conviction for a continuation of the offense subsequent to the first or any succeeding conviction.

B. *Municipal infractions.* The Town Commissioner may provide that violations of any municipal ordinance shall be a municipal infraction within the terms of Article 23A, Section 3(b), of the Annotated Code of Maryland, as the same may be amended from time to time, and is further empowered to provide for same by ordinance.

Section 1405. Effect of Charter on existing ordinances.

A. All ordinances, resolutions, rules and regulations in effect in the Town on May 28, 1958, which are not in conflict with the provisions of the Town Charter shall remain in effect until changed or repealed according to the provisions of the Town Charter.

B. All ordinances, resolutions, rules and regulations in effect in the Town on May 28, 1958, which are in conflict with the provisions of the Town Charter be and the same are hereby repealed to the extent of such conflict.

Section 1406. Severability.

If any section or part of a section of the Town Charter shall be held invalid by a court of competent jurisdiction, such holding shall not affect the remainder of the Town Charter nor the context in which such section or part of section so held invalid shall appear, except to the extent that an entire section or part of section may be inseparably connected in meaning and effect with the section or part of the section to which such holding shall directly apply.

APPENDIX I

Urban Renewal Authority for Slum Clearance

(See Note (7))

Section A1-101. Definitions.

- (a) In this appendix the following words have the meanings indicated.
- (b) “Federal Government” shall include the United States of America or any agency or instrumentality, corporate or otherwise, of the United States of America.
- (c) “Slum Area” shall mean any area where dwellings predominate, which, by reason of depreciation, overcrowding, faulty arrangement or design, lack of ventilation, light or sanitary facilities, or any combination of these factors, are detrimental to the public safety, health or morals.
- (d) “Blighted Area” shall mean an area in which a majority of buildings have declined in productivity by reason of obsolescence, depreciation or other causes to an extent they no longer justify fundamental repairs and adequate maintenance.
- (e) “Urban Renewal Project” shall mean undertakings and activities of a municipality in an urban renewal area for the elimination and for the prevention of the development or spread of slums and blight, and may involve slum clearance and redevelopment in an urban renewal area, or rehabilitation or conservation in an urban renewal area, or any combination or part thereof in accordance with an urban renewal plan. Such undertakings and activities may include—
 - (1) acquisition of a slum area or a blighted area or portion thereof;
 - (2) demolition and removal of buildings and improvements;
 - (3) installation, construction or reconstruction of streets, utilities, parks, playgrounds, and other improvements necessary for carrying out in the urban renewal area the urban renewal objectives of this appendix in accordance with the urban renewal plan;
 - (4) disposition of any property acquired in the urban renewal area including sale, initial leasing or retention by the municipality itself, at its fair value for uses in accordance with the urban renewal plan;
 - (5) carrying out plans for a program of voluntary or compulsory repair and rehabilitation of buildings or other improvements in accordance with the urban renewal plan;
 - (6) acquisition of any other real property in the urban renewal area where necessary to eliminate unhealthful, unsanitary or unsafe conditions, lessen density, eliminate

obsolete or other uses detrimental to the public welfare, or otherwise to remove or prevent the spread of blight or deterioration, or to provide land for needed public facilities; and

(7) the preservation, improvement or embellishment of historic structures or monuments.

(f) “Urban Renewal Area” shall mean a slum area or a blighted area or a combination thereof which the municipality designates as appropriate for an urban renewal project.

(g) “Urban Renewal Plan” shall mean a plan, as it exists from time to time, for an urban renewal project, which plan shall be sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the urban renewal area, zoning and planning changes, if any, land uses, maximum density and building requirements.

(h) “Bonds” shall mean any bonds (including refunding bonds), notes, interim certificates, certificates of indebtedness, debentures or other obligations.

(i) “Person” shall mean any individual, firm, partnership, corporation, company, association, joint stock association, or body politic; and shall include any trustee, receiver, assignee, or other person acting in similar representative capacity.

(j) “Municipality” shall mean the President and Commissioners of Princess Anne.

Section A1-102. Powers.

The municipality is hereby authorized and empowered to carry out urban renewal projects which shall be limited to slum clearance in slum or blighted areas and redevelopment or the rehabilitation of slum or blighted areas; to acquire in connection with such projects, within the corporate limits of the municipality, land and property of every kind and any right, interest, franchise, easement or privilege therein, including land or property and any right or interest therein already devoted to public use, by purchase, lease, gift, condemnation or any other legal means; to sell, lease, convey, transfer or otherwise dispose of any of said land or property, regardless of whether or not it has been developed, redeveloped, altered or improved and irrespective of the manner or means in or by which it may have been acquired, to any private, public or quasi public corporation, partnership, association, person or other legal entity. No land or property taken by the municipality for any of the aforementioned purposes or in connection with the exercise of any of the powers which by this appendix are granted to the municipality by exercising the power of eminent domain shall be taken without just compensation, as agreed upon between the parties, or awarded by a jury, being first paid or tendered to the party entitled to such compensation. All land or property needed or taken by the exercise of the power of eminent domain by the municipality for any of the aforementioned purposes or in connection with the exercise of any of the powers granted by this appendix is hereby declared to be needed or taken for public uses and purposes. Any or all of the activities authorized pursuant to this section shall constitute governmental functions undertaken for public uses and purposes and the power of taxation may be exercised, public funds expended and public credit extended in

furtherance thereof. The municipality is hereby granted the following additional powers which are hereby found and declared to be necessary and proper to carry into full force and effect the specific powers hereinbefore granted and to fully accomplish the purposes and objects contemplated by the provisions of this section:

(1) to make or have made all surveys and plans necessary to the carrying out of the purposes of this appendix and to adopt or approve, modify and amend such plans, which plans may include but shall not be limited to: (i) plans for carrying out a program of voluntary or compulsory repair and rehabilitation of buildings and improvements; (ii) plans for the enforcement of codes and regulations relating to the use of land and the use and occupancy of buildings and improvements and to the compulsory repair, rehabilitation, demolition, or removal of buildings and improvements; and (iii) appraisals, title searches, surveys, studies, and other plans and work necessary to prepare for the undertaking of urban renewal projects and related activities; and to apply for, accept and utilize grants of funds from the Federal Government for such purposes;

(2) to prepare plans for the relocation of persons (including families, business concerns and others) displaced from an urban renewal area, and to make relocation payments to or with respect to such persons for moving expenses and losses of property for which reimbursement or compensation is not otherwise made, including the making of such payments financed by the Federal Government;

(3) to appropriate such funds and make such expenditures as may be necessary to carry out the purposes of this appendix, including the payment or reimbursement of reasonable actual costs incurred as a result of utility relocations when such relocations are made necessary by an urban renewal project, after making appropriate adjustment for any improvements or betterments to the utility's facilities made in connection with the relocation; and to levy taxes and assessments for such purposes; to borrow money and to apply for and accept advances, loans, grants, contributions and any other form of financial assistance from the Federal Government, the State, County or other public bodies, or from any sources, public or private, for the purposes of this appendix, and to give such security as may be required therefor; to invest any urban renewal funds held in reserves or sinking funds or any such funds not required for immediate disbursement, in property or securities which are legal investments for other municipal funds.[:]

(4) to hold, improve, clear or prepare for redevelopment any property acquired in connection with urban renewal projects; to mortgage, pledge, hypothecate or otherwise encumber such property; to insure or provide for the insurance of such property or operations of the municipality against any risks or hazards, including the power to pay premiums on any such insurance;

(5) to make and execute all contracts and other instruments necessary or convenient to the exercise of its powers under this appendix, including the power to enter into agreement with any other public bodies or agencies (which agreements may extend over any period, notwithstanding any provision or rule of law to the contrary), and to include in any contract for financial assistance with the Federal Government for or with respect to an urban renewal project

and related activities such conditions imposed pursuant to Federal laws as the municipality may deem reasonable and appropriate;

(6) to enter into any building or property in any urban renewal area in order to make inspections, surveys, appraisals, soundings or test borings, and to obtain an order for this purpose from the Circuit Court for the county in which the municipality is situated in the event entry is denied or resisted;

(7) to plan, replan, install, construct, reconstruct, repair, close or vacate streets, roads, sidewalks, public utilities, parks, playgrounds and other public improvements in connection with an urban renewal project; and to make exceptions from building regulations;

(8) to generally organize, coordinate and direct the administration of the provisions of this appendix as they apply to such municipality in order that the objective of remedying slum and blighted areas and preventing the causes thereof within such municipality may be most effectively promoted and achieved; and

(9) to exercise all or any part or combination of powers herein granted.

Section A1–103. Establishment of Urban Renewal Agency.

The municipality may itself exercise all the powers granted by this appendix or may, if its legislative body by ordinance determines such action to be in the public interest, elect to have such powers exercised by a separate public body or agency as hereinafter provided. In the event said legislative body makes such determination, it shall proceed by ordinance to establish a public body or agency to undertake in the municipality the activities authorized by this appendix. Such ordinance shall include provisions establishing the number of members of such public body or agency, the manner of their appointment and removal, the terms of said members and their compensation. The ordinance may include such additional provisions relating to the organization of said public body or agency as may be necessary. In the event the legislative body enacts such an ordinance, all of the powers by this appendix granted to the municipality shall, from the effective date of said ordinance, be vested in the public body or agency thereby established, except:

(1) The power to pass a resolution to initiate an urban renewal project pursuant to Section A1–104 of this appendix;

(2) The power to issue general obligation bonds pursuant to Section A1–109 of this appendix; and

(3) The power to appropriate funds, and to levy taxes and assessments pursuant to Section A1–102(3) of this appendix.

Section A1-104. Initiation of Project.

In order to initiate an urban renewal project, the legislative body of the municipality shall adopt a resolution which:

- (1) finds that one or more slum or blighted areas exist in such municipality;
- (2) locates and defines the said slum or blighted areas; and
- (3) finds that the rehabilitation, redevelopment, or a combination thereof, of such area or areas, is necessary in the interest of the public health, safety, morals or welfare of the residents of such municipality.

Section A1-105. Preparation and Approval of Plan for Urban Renewal Project.

(a) The municipality, in order to carry out the purposes of this appendix, shall prepare or cause to be prepared an urban renewal plan for slum or blighted areas in the municipality, and shall formally approve such plan. Prior to its approval of an urban renewal project, the municipality shall submit such plan to the planning body of the municipality, for review and recommendations as to its conformity with the master plan for the development of the municipality as a whole. The planning body shall submit its written recommendation with respect to the proposed urban renewal plan to the municipality within sixty days after receipt of the plan for review; upon receipt of the recommendations of the planning body or, if no recommendations are received within said sixty days, then without such recommendations, the municipality may proceed with a public hearing on the proposed urban renewal project. The municipality shall hold a public hearing on an urban renewal project after public notice thereof by publication in a newspaper having a general circulation within the corporate limits of the municipality. The notice shall describe the time, date, place and purpose of the hearing, shall generally identify the urban renewal area covered by the plan, and shall outline the general scope of the urban renewal project under consideration. Following such hearing, the municipality may approve an urban renewal project and the plan therefor if it finds that: (1) a feasible method exists for the location of any families who will be displaced from the urban renewal area in decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such families; (2) the urban renewal plan substantially conforms to the master plan of the municipality as a whole; and (3) the urban renewal plan will afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the rehabilitation or redevelopment of the urban renewal area by private enterprise.

(b) An urban renewal plan may be modified at any time, provided that if modified after the lease or sale of real property in the urban renewal project area, the modification may be conditioned upon such approval of the owner, lessee or successor in interest as the municipality may deem advisable and in any event shall be subject to such rights at law or in equity as a lessee or purchaser, or his successor or successors in interest, may be entitled to assert. Where the proposed modification will substantially change the urban renewal plan as previously approved by the municipality, the modification shall be formally approved by the municipality as in the case of an original plan.

(c) Upon the approval by the municipality of an urban renewal plan or of any modification thereof, such plan or modification shall be deemed to be in full force and effect for the respective urban renewal area and the municipality may then cause such plan or modification to be carried out in accordance with its terms.

Section A1-106. Disposal of Property in Urban Renewal Area.

(a) The municipality may sell, lease or otherwise transfer real property or any interest therein acquired for it by an urban renewal project, for residential, recreational, commercial, industrial, educational or other uses or for public use, or may retain such property or interest for public use, in accordance with the urban renewal plan, subject to such covenants, conditions and restrictions, including covenants running with the land, as it may deem to be necessary or desirable to assist in preventing the development or spread of future slums or blighted area or to otherwise carry out the purposes of this appendix. The purchasers or lessees and their successors and assigns shall be obligated to devote such real property only to the uses specified in the urban renewal plan, and may be obligated to comply with such other requirements as the municipality may determine to be in the public interest, including the obligation to begin within a reasonable time any improvements on such real property required by the urban renewal plan. Such real property or interest shall be sold, leased, otherwise transferred, or retained at not less than its fair value for uses in accordance with the urban renewal plan. In determining the fair value of real property for uses in accordance with the urban renewal plan, the municipality shall take into account and give consideration to the uses provided in such plan; the restrictions upon, and the covenants, conditions and obligations assumed by the purchaser or lessee or by the municipality retaining the property; and the objectives of such plan for the prevention of the recurrence of slum or blighted areas. The municipality in any instrument of conveyance to a private purchaser or lessee may provide that such purchaser or lessee shall be without power to sell, lease or otherwise transfer the real property without the prior written consent of the municipality until he has completed the construction of any or all improvements which he has obligated himself to construct thereon. Real property acquired by the municipality which, in accordance with the provisions of the urban renewal plan, is to be transferred, shall be transferred as rapidly as feasible in the public interest consistent with the carrying out of the provisions of the urban renewal plan. Any contract for such transfer and the urban renewal plan (or such part or parts of such contract or plan as the municipality may determine) may be recorded in the Land Records of the county in which the municipality is situated in such manner as to afford actual or construction notice thereof.

(b) The municipality may dispose of real property in an urban renewal area to private persons only under such reasonable competitive bidding procedures as it shall prescribe or as hereinafter provided in this subsection. The municipality may, by public notice by publication in a newspaper having a general circulation in the community (not less than sixty days prior to the execution of any contract to sell, lease or otherwise transfer real property and prior to the delivery of any instrument of conveyance with respect thereto under the provisions of this section) invite proposals from and make available all pertinent information to private redevelopers or any persons interested in undertaking to redevelop or rehabilitate an urban renewal area, or any part thereof. Such notice shall identify the area, or portion thereof, and shall

state that proposals shall be made by those interested within a specified period of not less than sixty days after the first day of publication of said notice, and that such further information as is available may be obtained at such office as shall be designated in said notice. The municipality shall consider all such redevelopment or rehabilitation proposals and the financial and legal ability of the persons making such proposal to carry them out, and may negotiate with any persons for proposals for the purchase, lease or other transfer of any real property acquired by the municipality in the urban renewal area. The municipality may accept such proposal as it deems to be in the public interest and in furtherance of the purposes of this appendix. Thereafter, the municipality may execute and deliver contracts, deeds, leases and other instruments and take all steps necessary to effectuate such transfers.

(c) The municipality may temporarily operate and maintain real property acquired by it in an urban renewal area for or in connection with an urban renewal project pending the disposition of the property as authorized in this appendix, without regard to the provisions of subsection (a) above, for such uses and purposes as may be deemed desirable even though not in conformity with the urban renewal plan.

(d) Any instrument executed by the municipality and purporting to convey any right, title or interest in any property under this appendix shall be conclusively presumed to have been executed in compliance with the provisions of this appendix insofar as title or other interest of any bona fide purchaser, lessees or transferees of such property is concerned.

Section A1-107. Eminent Domain.

Condemnation of land or property under the provisions of this appendix shall be in accordance with the procedure provided in the Real Property Article of the Annotated Code of Maryland.

Section A1-108. Encouragement of Private Enterprise.

The municipality, to the greatest extent it determines to be feasible in carrying out the provisions of this appendix, shall afford maximum opportunity, consistent with the sound needs of the municipality as a whole, to the rehabilitation or redevelopment of any urban renewal area by private enterprise. The municipality shall give consideration to this objective in exercising its powers under this appendix.

Section A1-109. General Obligation Bonds.

For the purpose of financing and carrying out of an urban renewal project and related activities, the municipality may issue and sell its general obligation bonds. Any bonds issued by the municipality pursuant to this section shall be issued in the manner and within the limitations prescribed by applicable law for the issuance and authorizations of general obligation bonds by such municipality, and also within such limitations as shall be determined by said municipality.

Section A1-110. Revenue Bonds.

(a) In addition to the authority conferred by Section A1-109 of this appendix, the municipality shall have the power to issue revenue bonds to finance the undertaking of any urban renewal project and related activities, and shall also have power to issue refunding bonds for the payment or retirement of such bonds previously issued by it. Such bonds shall be made payable, as to both principal and interest, solely from the income, proceeds, revenues, and funds of the municipality derived from or held in connection with its undertaking and carrying out of urban renewal projects under this appendix; provided, however, that payment of such bonds, both as to principal and interest, may be further secured by a pledge of any loan, grant or contribution from the Federal Government or other source, in aid of any urban renewal projects of the municipality under this appendix, and by a mortgage of any such urban renewal projects, or any part thereof, title to which is in the municipality. In addition, the municipality may enter into an Indenture of Trust with any private banking institution of this State having trust powers and may make in such indenture of trust such covenants and commitments as may be required by any purchaser for the adequate security of said bonds.

(b) Bonds issued under this section shall not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction, shall not be subject to the provisions of any other law or charter relating to the authorization, issuance or sale of bonds, and are hereby specifically exempted from the restrictions contained in Sections 9, 10, and 11 of Article 31 of the Annotated Code of Maryland (1957 Edition; as amended). Bonds issued under the provisions of this Article are declared to be issued for an essential public and governmental purpose and, together with interest thereon and income therefrom, shall be exempted from all taxes.

(c) Bonds issued under this section shall be authorized by resolution or ordinance of the Legislative body of the municipality and may be issued in one or more series and shall bear such date or dates, shall mature at such time or times, bear interest at such rate or rates, not exceeding six per centum per annum, be in such denomination or denominations, be in such form either with or without coupon or registered, carry such conversion or registration privileges, have such rank or priority, be executed in such manner, be payable in such medium or payment, at such place or places, and be subject to such terms of redemption (with or without premium), be secured in such manner, and have such other characteristics, as may be provided by such resolution or trust indenture or mortgage issued pursuant thereto.

(d) Such bonds may be sold at not less than par at public sales held after notice published prior to such sale in a newspaper having a general circulation in the area in which the municipality is located and in such other medium of publication as the municipality may determine or may be exchanged for other bonds on the basis of par; provided, that such bonds may be sold to the Federal Government at private sale at not less than par, and, in the event less than all of the authorized principal amount of such bonds is sold to the Federal Government, the balance may be sold at private sale at not less than par at an interest cost to the municipality of not to exceed the interest cost to the municipality of the portion of the bonds sold to the Federal Government.

(e) In case any of the public officials of the municipality whose signatures appear on any bonds or coupons issued under this appendix shall cease to be such officials before the delivery of such bond or, in the event any such officials shall have become such after the date of issue thereof, said bonds shall nevertheless be valid and binding obligations of said municipality in accordance with their terms. Any provision of any law to the contrary notwithstanding, any bonds issued pursuant to this appendix shall be fully negotiable.

(f) In any suit, action or proceeding involving the validity or enforceability of any bond issued under this appendix or the security therefor, any such bond reciting in substance that it has been issued by the municipality in connection with an urban renewal project, as herein defined, shall be conclusively deemed to have been issued for such purpose and such project shall be conclusively deemed to have been planned, located and carried out in accordance with the provisions of this appendix.

(g) All banks, trust companies, bankers, savings banks and institutions, building and loan associations, savings and loan associations, investment companies and other persons carrying on a banking or investment business; all insurance companies, insurance associations, and other persons carrying on an insurance business; and all executors, administrators, curators, trustees, and other fiduciaries, may legally invest any sinking funds, monies, or other funds belonging to them or within their control in any bonds or other obligations issued by the municipality pursuant to this appendix, provided that such bonds and other obligations shall be secured by an agreement between the issuer and the Federal Government in which the issuer agrees to borrow from the Federal Government and the Federal Government agrees to lend to the issuer, prior to the maturity of such bonds or other obligations, monies in an amount which (together with any other monies irrevocably committed to the payment of principal and interest on such bonds or other obligations) will suffice to pay the principal of such bonds or other obligations with interest to maturity thereon, which monies under the terms of said agreement are required to be used for the purpose of paying the principal of and the interest on such bonds or other obligations at their maturity. Such bonds and other obligations shall be authorized security for all public deposits. It is the purpose of this section to authorize any persons, political subdivisions and officers, public or private, to use any funds owned or controlled by them for the purchase of any such bonds or other obligations. Nothing contained in this section with regard to legal investments shall be construed as relieving any person of any duty of exercising reasonable care in selecting securities.

Section A1-111. Severability.

If any provision of this appendix, or the application thereof to any person or circumstances, is held invalid, the remainder of the appendix and the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby. The powers conferred by this appendix shall be in addition and supplemental to the powers conferred by any other law.

Section A1-112. Short Title.

This appendix shall be known and may be cited as the Princess Anne Urban Renewal Authority for Slum Clearance Act.

Section A1-113. Authority to Amend or Repeal.

This appendix, enacted pursuant to Article III, Section 61 of the Constitution of Maryland, may be amended or repealed only by the General Assembly of Maryland.

NOTES

(1) Thus in the resolution of 4–8–58.

(2) A copy of the plat referred to in this subsection is on file and open to public inspection in the office of the Town Manager.

(3) In 1960, the Town of Princess Anne, at the State’s request, relinquished its water and sewer activities to the Somerset County Sanitary District. The actual water and sewer powers have been retained by the Town, however, in the event the Town of Princess Anne should once again undertake water and sewer activities.

(4) Repealed.

(5) In the first sentence of Section 807, the term “reserved or” was added in the 1995 Supplement pursuant to correspondence to the Department of Legislative Reference from the town attorney in September, 1994 that confirmed that the change was a technical correction.

(6) Resolution 1995–02, effective April 20, 1995, provided for annexation of 1.918 acres of land (Bruce Property), and Resolution 1995–3, effective April 20, 1995, provided for the annexation of 60,005 square feet (Heckman Property). The Resolutions, however, failed to provide for the change in the boundary description that is contained in this charter. Accordingly, these annexations are simply noted pursuant to the municipal general powers section of this charter.

(7) Pursuant to Article III, Section 61 of the Constitution of Maryland, the General Assembly of Maryland granted urban renewal powers for slum clearance to the Town of Princess Anne in Chapter 614 of the Acts of the General Assembly of 1963.

Starting with the 1997 Supplement to the *Public Local Laws of Maryland – Compilation of Municipal Charters*, the urban renewal powers for slum clearance for the Town of Princess Anne appear as this appendix in accordance with 80 *Opinions of the Attorney General* _____ (1995) [Opinion No. 95–037 (September 21, 1995)] and Sections 10 and 11 of Chapter 14 of the Acts of the General Assembly of 1997.

Formerly, the urban renewal powers appeared as Article XIII, §§ 1301 through 1311, inclusive, of this charter.

(8) Resolution 2003–6, effective September 9, 2003, Resolution 2003–7, effective December 11, 2003, and Resolution 2003–12, effective January 12, 2004 added Section 202 T, U, and V, respectively. However, since Section 202 T, U, and V are already in existence, these changes have been designated as Section 202 W, X, and Y, respectively.

(9) Resolution 2006–1, effective June 1, 2006, Resolution 2006–2, effective July 6, 2006, Resolution 2007–14, effective August 23, 2007, Resolution 2007–16, effective November

23, 2007, Resolution 2007–18, effective December 6, 2007, and Resolution 2008–10, effective December 4, 2008 added unnumbered provisions to Section 202. These changes have been designated as Section 202 AB, AC, AD, AE, AF, and AG, respectively.